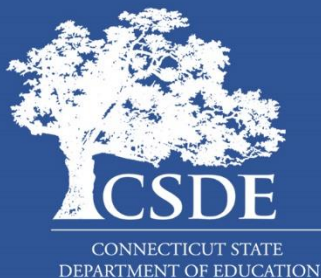


Guide to Competitive Foods in Non-HFC Public Schools



Complying with the state and federal requirements for selling and giving competitive foods to students in public schools that choose not to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes



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Connecticut State Department of Education

Bureau of Health/Nutrition, Family Services and Adult Education

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Guide to Competitive Foods in Non-HFC Public Schools

Connecticut State Department of Education

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Project Director

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About this Guide

The Connecticut State Department of Education's (CSDE) *Guide to Competitive Foods in Non-HFC Public Schools* provides comprehensive guidance on complying with the federal and state requirements for competitive foods in public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose **not** to implement the healthy food option of Healthy Food Certification (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.). This guide is based on the following federal and state requirements:

- Connecticut's statute requiring annual HFC for public schools ([C.G.S. Section 10-215f](#));
- USDA's Smart Snacks nutrition standards for competitive foods ([81 FR 50131](#));
- Connecticut's beverage statute for public schools ([C.G.S. Section 10-221q](#));
- Connecticut's statute requiring public schools to sell nutritious and low-fat foods whenever foods are available for sale to students during the school day ([C.G.S. Section 10-221p](#));
- Connecticut's competitive foods regulations ([Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies](#));
- USDA's School Wellness Policy ([Section 4 of Public Law 108-265](#) and the [Healthy, Hunger-Free Kids Act of 2010](#));
- USDA's regulation for revenue from nonprogram foods ([7 CFR 210.14 \(f\)](#)); and
- USDA's policies and guidance for competitive foods ([USDA policy memos for the NSLP and SBP](#)).

Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. For example, the USDA's Smart Snacks nutrition standards apply to sales of competitive foods to students during the school day. However, the state beverage statute applies at all times and the state competitive foods regulations apply to sales of competitive foods to students whenever any Child Nutrition Programs are operating, including during and after the school day. The state competitive foods regulations also apply when candy, coffee, tea, and soft drinks are given to students.

When the federal and state requirements differ, the stricter requirements apply. This guide indicates when the federal and state laws supersede each other, and how they apply to different sources of foods and beverages in non-HFC public schools.

This guide provides implementation guidance for meeting the federal and state nutrition standards for foods and beverages required by the USDA's Smart Snacks nutrition standards and the state beverage statute (C.G.S. Section 10-221q). It also explains how the federal and state requirements for competitive foods apply to a variety of settings, such as cafeterias, vending machines, school stores, fundraisers, concession stands, culinary arts programs, family and consumer sciences classes, afterschool program and activities, summer school programs, meetings, and other sources of competitive foods in schools. Sections 3 and 4 include charts that summarize how the federal and state requirements apply to selling and giving specific types of foods and beverages to students.

Each section of this guide contains links to other sections when appropriate, and to websites with relevant information and resources. These links can be accessed by clicking on the blue text throughout the guide.

The mention of trade names, commercial products or organizations does not imply approval or endorsement by the CSDE or the USDA. Product names are used solely for clarification.

The information in this guide is subject to change. The CSDE will update this guide as needed, based on changes to the USDA's regulations and policies for competitive foods. Please visit the CSDE's [Competitive Foods in Schools](#) webpage for the most current version. For more information, contact Susan S. Fiore, M.S., R.D., Nutrition Education Coordinator, at susan.fiore@ct.gov or 860-807-2075.

CSDE Contact Information

For questions regarding the federal and state requirements for competitive foods, please contact Susan Fiore at susan.fiore@ct.gov or 860-807-2075. For questions regarding the school nutrition programs, please contact the school nutrition programs staff in the CSDE's Bureau of Health/Nutrition, Family Services and Adult Education.

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Hartford County (includes Region 10) Middlesex County (includes Regions 4, 13, and 17)	Teri Dandeneau teri.dandeneau@ct.gov 860-807-2079
New Haven County (includes Regions 5, 15, and 16) New London County Tolland County (includes Regions 8 and 19) Windham County (includes Region 11)	Susan Alston susan.alston@ct.gov 860-807-2081
Connecticut State Department of Education Bureau of Health/Nutrition, Family Services and Adult Education Child Nutrition Programs 450 Columbus Boulevard, Suite 504 Hartford, CT 06103-1841	

For a complete listing of the CSDE's Child Nutrition Programs staff, refer to the CSDE's resource, *Child Nutrition Staff and Responsibilities*.

Abbreviations and Acronyms

ASP	Afterschool Snack Program
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CNPs	Child Nutrition Programs
CNS	Connecticut Nutrition Standards
CSDE	Connecticut State Department of Education
CTECS	Connecticut Technical Education and Career System
FDA	Food and Drug Administration
FFVP	Fresh Fruit and Vegetable Program
FNS	Food and Nutrition Service, U.S. Department of Agriculture
HFC	Healthy Food Certification
HHFKA	Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)
LEA	local educational agency
NSLP	National School Lunch Program
RCCI	residential child care institution
SBP	School Breakfast Program
SFA	school food authority
SFSP	Summer Food Service Program
SMP	Special Milk Program
SSO	Seamless Summer Option of the NSLP
USDA	United States Department of Agriculture
WGR	whole grain-rich

1 — Overview

This guide applies to Connecticut public schools that participate in the National School Lunch Program (NSLP) and choose **not** to implement the healthy food option of Healthy Food Certification (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.) Non-HFC public schools are allowed to sell and give competitive foods to students only within certain times and only if they meet specific nutrition standards. This guide provides comprehensive information and resources to help non-HFC public schools comply with the federal and state requirements for competitive foods.

“Competitive foods” are all foods and beverages available for sale to students on school premises separately from reimbursable meals served through the USDA Child Nutrition Programs (CNP). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating. The CNPs include the:

- National School Lunch Program (NSLP);
- School Breakfast Program (SBP) ;
- Afterschool Snack Program (ASP) of the NSLP;
- Seamless Summer Option (SSO) of the NSLP;
- Special Milk Program (SMP);
- Fresh Fruit and Vegetable Program (FFVP);
- Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools; and
- Summer Food Service Program (SFSP) operated in schools.

Competitive foods include creditable and noncreditable foods.

- “Creditable foods” are foods and beverages that credit toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the CNPs. Creditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, pasta, rice, and whole grain-rich crackers, cookies, muffins, and pasta. For information on crediting foods in the school nutrition programs, refer to the CSDE’s resources, [Menu Planning Guide for School Meals for Grades K-12](#), [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and [ASP Handbook](#).

- “Noncreditable foods” are foods and beverages that do not credit toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the CNPs. Noncreditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include bottled water, soft drinks, coffee, tea, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, gelatin, and pudding. For more information, refer to the CSDE’s resources, [Noncreditable Foods for Grades K-12 in the NSLP and SBP](#), [Noncreditable Foods for Preschoolers in the NSLP and SBP](#), and [Noncreditable Foods for Grades K-12 in the ASP](#).

All competitive foods must comply with the federal and state requirements. Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. For example, the USDA’s Smart Snacks nutrition standards apply to sales of competitive foods to students during the school day. However, the state beverage statute applies at all times and the state competitive foods regulations apply to sales of competitive foods to students whenever CNPs are operating, including during and after the school day. The state competitive foods regulations also apply to **giving** candy, coffee, tea, and soft drinks to students.

When the federal and state requirements differ, schools must comply with the strictest requirement. This guide indicates when the federal and state laws supersede each other, and how they apply to different sources of foods and beverages in non-HFC public schools.



Sources of Competitive Foods

Common sources of competitive foods include cafeterias, vending machines, school stores, and fundraisers. Table 1-1 shows more examples of potential sources of competitive foods in public schools. This list is not all-inclusive.

**Table 1-1. Potential sources of competitive foods
in non-HFC public schools ¹**

Adult education programs operated by the board of education
Afterschool programs and activities, such as enrichment programs, extracurricular classes, tutoring sessions, and student clubs
Cafeteria a la carte sales
Classroom parties and other celebrations
Clubs and organizations
Concession stands
Culinary arts programs
Family and consumer sciences classes
Family resource centers
Fundraisers conducted by school groups and non-school groups
Programs and meetings
Recipient schools under interschool agreements
School stores, kiosks, and other school-based enterprises
Sports competitions, such as games, matches, and tournaments
Sports programs
Summer school programs (e.g., enrichment or exploratory) operated by the board of education or school governing authority
USDA's Afterschool Snack Program (ASP)
USDA's Seamless Summer Option (SSO) of the NSLP
USDA's Summer Food Service Program (SFSP) operated by the board of education on school premises
Vending machines

**Table 1-1. Potential sources of competitive foods
in non-HFC public schools ¹, *continued***

Vendors on school premises, e.g., food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities that sell foods and beverages to students

Any other programs, organizations, and activities selling or giving foods and beverages to students on school premises

- ¹ The Smart Snacks nutrition standards for competitive foods apply to all foods and beverages available for sale to students on school premises during the school day, separately from reimbursable meals. The state beverage statute (G.C.S. Section 10-221q) applies to all beverages sold to students (as part of and separately from reimbursable meals) on school premises at all times, except for sales that meet the exemption criteria (refer to “[Beverage exemptions](#)” in this section). Section 10-215b-1 of the state competitive foods regulations applies to selling and giving candy, coffee, tea, and soft drinks to students on school premises while any CNPs are operating, including during and after the school day. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.



Federal and State Requirements

Non-HFC public schools that participate in the NSLP or SBP must comply with the following federal and state requirements:

- USDA’s Smart Snacks nutrition standards nutrition standards for competitive foods (Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act (HHFKA) of 2010 ([81 FR 50131](#)));
- Connecticut’s statute requiring public schools to certify annually for HFC ([C.G.S. Section 10-215f](#));
- Connecticut’s beverage statute for public schools ([C.G.S. Section 10-221q](#));
- Connecticut’s statute requiring public schools to sell nutritious and low-fat foods whenever foods are available for sale to students during the school day ([C.G.S. Section 10-221p](#));
- Connecticut’s competitive foods regulations ([Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies](#));
- USDA’s School Wellness Policy ([Section 4 of Public Law 108-265](#) and the [Healthy, Hunger-Free Kids Act of 2010](#));
- USDA’s regulation for revenue from nonprogram foods ([7 CFR 210.14 \(f\)](#)); and
- USDA’s policies and guidance for competitive foods ([FNS Documents & Resources](#)).

Table 1-2 summarizes when the federal and state requirements apply to non-HFC public schools, which foods and beverages they restrict, and whether they apply to selling or giving foods and beverages to students (refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2). An overview of each requirement begins on page 8.

The CSDE’s resource, [Requirements for Competitive Foods in Non-HFC Public Schools](#), provides an overview of the requirements for non-HFC public schools.



Table 1-2. Requirements for competitive foods in non-HFC public schools

Federal/state requirement	Applies to	When applies	Applies to	
			Selling	Giving
State: C.G.S. Section 10-215f : Certification that food meets nutrition standards (Healthy Food Certification)	All public schools that participate in the NSLP.	HFC Statement must be submitted to the CSDE by July 1 of each year. Note: All public schools are required to certify (i.e. board vote) each year whether they will or will not comply with the Connecticut Nutrition Standards (CNS).	Yes	No
Federal (USDA): Smart Snacks Nutrition Standards (81 FR 50131)	All foods and beverages available for sale to students on school premises separately from reimbursable meals and ASP snacks through the CNPs. ¹	During the school day.	Yes	No
State: C.G.S. Section 10-221q : Sale of beverages	All beverages available for sale to students on school premises, as part of and separately from reimbursable meals and ASP snacks through the CNPs. ^{2,3}	At all times, except for sales that meet the exemption criteria (refer to “ Beverage exemptions ” in section). ⁴	Yes	No

Table 1-2. Requirements for competitive foods in non-HFC public schools, *continued*

Federal/state requirement	Applies to	When applies	Applies to	
			Selling	Giving
State: C.G.S. Section 10-221p : Nutritious and low-fat foods available for sale	All foods available for sale to students on school premises, separately from reimbursable meals and ASP snacks through the CNPs. ^{2,3}	During the school day.	Yes	No
State: Section 10-215b-1 of the Regulations of Connecticut State Agencies : Competitive foods (candy, coffee, tea, and soft drinks)	Selling and giving candy, coffee, tea, and soft drinks to students on school premises while any CNPs are operating. ²	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.	Yes	Yes
State: Section 10-215b-23 of the Regulations of Connecticut State Agencies : Accrual of Income	Accrual of income from all sales of foods and beverages to students anywhere on school premises while any CNPs are operating. ²	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.	Yes	No
Federal (USDA): School Wellness Policy (Public Law 108-265) and the Healthy, Hunger-Free Kids Act of 2010	Selling and giving foods and beverages to students on school premises, separately from reimbursable meals and ASP snacks through the CNPs. ⁵	During the school day.	Yes	Yes

Table 1-2. Requirements for competitive foods in non-HFC public schools, *continued*

Federal/state requirement	Applies to	When applies	Applies to	
			Selling	Giving
Federal (USDA): Revenue from Nonprogram Foods (7 CFR 210.14 (f))	All foods and beverages purchased using funds from the nonprofit school food service account, and available for sale to students and adults on school premises, outside of reimbursable meals and ASP snacks. Note: Cafeteria a la carte sales are the most common source of nonprogram foods. This regulation also applies to vending machines when the foods and beverages are purchased using funds from the nonprofit school food service account.	At all times.	Yes	No

¹ The Smart Snacks nutrition standards do not apply to foods and beverages intended for consumption at home. Examples include products in a precooked state (such as frozen pies and cookie dough) or in bulk quantities (multiple servings per package), such as boxes of candy bars or cookies, and bags of popcorn kernels or gourmet coffee beans.

² The state statutes and competitive foods regulations apply regardless of when students will consume the foods and beverages. This includes products in a precooked state (such as frozen pies and cookie dough) or in bulk quantities (multiple servings per package), such as boxes of candy bars or cookies, and bags of popcorn kernels or gourmet coffee beans.

³ C.G.S. Sections 10-221q and 10-221p apply to all Connecticut public schools, including those that do not choose the healthy food option of HFC or do not participate in the CNPs.

⁴ The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores. All beverages sold to students from vending machines and school stores must **always** comply with the state beverage statute.

⁵ The LEA's school wellness policy must include standards and nutrition guidelines for all foods and beverages and beverages available for sale to students, and provided to students free of any charge, on school premises during the school day (refer to "USDA School Wellness Policy" in this section).

Healthy Food Certification

C.G.S. Section 10-215f requires that each board of education or school governing authority for all Connecticut public schools participating in the NSLP must certify annually to the CSDE whether they will comply with the CNS for all sales of food items to students on school premises at all times, separately from reimbursable meals. Public schools are not required to comply with the CNS, but are required by the state HFC statute to certify each year whether they will or will not comply with the CNS.

Districts that choose to comply with the CNS receive additional funding based on the total number of reimbursable lunches served in the district in the prior school year. For more information on HFC and the CNS, refer to the CSDE's resources, [Requirements for Competitive Foods in HFC Public Schools](#) and [Summary of Connecticut Nutrition Standards](#), and visit the CSDE's [Healthy Food Certification](#) and [Connecticut Nutrition Standards](#) webpages.

Smart Snacks Nutrition Standards

All schools and institutions that participate in the NSLP or SBP must comply with the USDA's Smart Snacks nutrition standards. The Smart Snacks nutrition standards apply to competitive foods available for sale to students on school premises during the school day, separately from reimbursable meals and ASP snacks in the CNPs.

- “Sales” means the exchange of a determined amount of money (including the purchase of coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of beverages provided to students; and activities that suggest a student donation in exchange for beverages. Under the state statutes and competitive foods regulations, sales also include coupons, tickets, tokens, and similar items that are given to students (such as food rewards) and can be exchanged for certain foods and beverages. For more information, refer to “[Sales to Students](#),” “[Giving Foods and Beverages to Students](#),” and “[Food Rewards](#)” in section 2.
- “Competitive foods” are all foods and beverages available for sale to students on school premises during the school day, other than reimbursable meals served through the CNPs. The state beverage statute and competitive foods regulations extend this time beyond the school day. The state beverage statute applies at all times, except for sales that meet specific exemption criteria. The state competitive foods regulations apply whenever CNPs are operating, including during and after the school day.

- The “school campus” is all areas of the property under the jurisdiction of the school that are accessible to students during the school day. The state beverage statute and competitive foods regulations extend this time beyond the school day. The state beverage statute applies at all times, except for sales that meet specific exemption criteria. The state competitive foods regulations apply whenever CNPs are operating, including during and after the school day.
- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is midnight to 3:30 p.m. Summer school programs operated by the board of education or school governing authority are part of the regular school day.

The Smart Snacks nutrition standards do not apply to:

- the ASP, unless it operates before the end of the school day or sells foods and beverages to students separately from reimbursable ASP snacks;
- the SFSP, unless it operates during the summer school day during which NSLP meals are served, and sells foods and beverages to students separately from reimbursable SFSP meals and snacks;
- the SSO; or
- schools that participate only in the SMP.

However, the USDA encourages schools to use the Smart Snacks nutrition standards in other CNPs to improve the overall school nutrition environment.



Standards for foods

The Smart Snacks nutrition standards limit calories, fat, saturated fat, trans fat, sodium, and added sugars; and promote more nutrient-rich foods such as fresh fruits, vegetables, whole grains, low-fat dairy, legumes, and lean meats. The two Smart Snacks food categories are entrees sold only a la carte and side dishes.

Entree items offered as part of the NSLP or SBP are exempt from the Smart Snacks nutrition standards if they are sold separately from reimbursable meals on the day of service, or the day after service, in the NSLP or SBP. For example, a cheeseburger that is part of Monday's reimbursable lunch may be sold a la carte during the lunch service on Monday or Tuesday, and Smart Snacks does not apply. Exempt entrees sold as competitive foods must be offered in the same or smaller portion sizes as the NSLP and SBP, and with the same accompaniments.

- Entrees sold only a la carte:** The Smart Snacks nutrition standards apply only to entrees that are sold only a la carte, i.e., not as part of a reimbursable meal. For example, if a school sells pizza that is not part of a reimbursable meal on the day of service, or the day after service, the pizza must comply with Smart Snacks. An “entree item” is a main dish food from one of following three categories: 1) a combination food of meat/meat alternate and whole grain-rich food; 2) a combination food of vegetable/fruit and meat/meat alternate; or 3) a meat/meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds, nut and seed butters and meat snacks. At breakfast only, the Smart Snacks entree definition also includes whole grain-rich grain-only items, such as bagels, muffins, and waffles. Schools can determine which grain-only items are defined as entree items for breakfasts offered as part of the SBP.
- Side dishes:** Side dishes are all food items that do not meet the Smart Snacks definition for entrees. Examples include fruits and vegetables; pasta, rice, and cooked cereal grains, e.g., quinoa, bulgur, and bulgur; snack foods such as chips, crackers, popcorn, rice cakes, hard pretzels, pita chips, snack mix, and trail mix; breakfast cereals, e.g., cold ready-to-eat (RTE) cereals and cooked hot cereals such as oatmeal; nuts and seeds; peanut butter and other nut butters; dried meat snacks, e.g., beef jerky and meat sticks; bakery items, e.g., pastries, toaster pastries, muffins, waffles, pancakes, French toast, soft pretzels, rolls, and buns; desserts, e.g., cookies, brownies, cake, pie, and pudding; frozen desserts, e.g., frozen fruit bars, ice cream, and ice cream novelties; cereal bars and granola bars; cheese, e.g., low fat cheese sticks and low-fat cheese cubes; yogurt and soy yogurt; and fruit/vegetable smoothies.

Allowable foods must comply with at least one of three Smart Snacks general nutrition standards, and must also comply with specific nutrient standards for calories, fat, saturated fat, trans fat, sugar, and sodium. The Smart Snacks nutrition standards allow exemptions for certain nutrient-rich food items that are naturally higher in fat (such as nuts and seeds) or sugars (such as dried fruit). All fruits and vegetables without added fat, sugar, and salt are exempt from the Smart Snacks nutrition standards.

Identifying Allowable Foods

Commercial food products and foods made from scratch must comply with the Smart Snack nutrition standards when they are available for sale during the school day to students on school premises, separately from reimbursable meals served through the CNPs. For information on the specific Smart Snacks requirements, refer to the CSDE's resources, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE's [Smart Snacks Nutrition Standards](#) webpage.

The Smart Snacks nutrition standards apply to the amount of the food **as served**, including any added accompaniments such as butter, margarine, cream cheese, jelly, mayonnaise, ketchup, mustard, relish, salad dressing, sauce, and gravy. When a food includes an accompaniment (such as a bagel with cream cheese or pancakes with syrup), the nutrition information for **both items** must be added together prior to reviewing the serving for compliance with the Smart Snacks nutrition standards.

Commercial products

The serving of a commercial product (including any added accompaniments) must meet each nutrition standard for the applicable food category of the Smart Snacks nutrition standards. The CSDE's [List of Acceptable Foods and Beverages webpage](#) identifies commercial food products that comply with the CNS (and therefore the Smart Snacks food standards). Schools may also use the Alliance for a Healthier Generation's [Smart Snacks Product Calculator](#) to assess food products for compliance with Smart Snacks. This tool cannot be used to identify allowable beverages because some requirements of the state beverage statute are stricter and supersede the beverage requirements of the Smart Snacks nutrition standards.



Foods made from scratch

The serving of a recipe (including any added accompaniments) must meet each nutrition standard for the applicable Smart Snacks food category. Entities that sell foods made from scratch must complete the two steps below to provide documentation of each recipe's compliance with Smart Snacks **before** selling these foods to students. Maintain this information on file for the Administrative Review of the school nutrition programs.

1. **Standardized recipe with nutrition information per serving:** *This step is required to determine the recipe's nutrition information per serving.* Foods made from scratch must have a standardized recipe that indicates the calories, fat, saturated fat, trans fat, sodium, and sugars per serving. A standardized recipe has been tried, adapted, and retried several times for use by a given foodservice operation; and has been found to produce the same good results and yield every time when the exact procedures are used with the same type of equipment, and the same quantity and quality of ingredients. Standardized **quantity** recipes produce 25 or more servings. For guidance on developing and using standardized recipes, visit the "[Standardized Recipes](#)" section of the CSDE's Crediting Foods in School Nutrition Programs webpage.
 - If the recipe does not include nutrition information or is missing nutrients, the selling entity must conduct a nutrient analysis to determine the recipe's nutrition information per serving. The nutrient analysis can be conducted with a nutrient analysis software program, or a nutrient analysis database and the CSDE's [CNS Worksheet 9: Nutrient Analysis of Recipes](#).
 - If the recipe is missing nutrition information for sugars, calculate this information using [CNS Worksheet 10: Evaluating Recipes for Sugars](#).
2. **Comparison of recipe's nutrition information per serving with the applicable Smart Snacks food category:** *This step is required to determine if the recipe's serving complies with the Smart Snacks nutrition standards.* Compare the recipe's nutrition information per serving from step 1 (including any added accompaniments) with the required Smart Snacks nutrition standards.

Entities that sell foods made from scratch to students must complete these documentation requirements for all foods in the two categories below.

- **Category 1: Foods prepared from scratch using a recipe:** Examples include entrees sold only a la carte (not as part of reimbursable NSLP and SBP meals) such as pizza, chef's salad, and lasagna; soups; cooked grains such as rice or pasta with added fat (e.g., oil, margarine, or butter) and salt; cooked vegetables with added fat (e.g., oil,

margarine, or butter) and salt; salad with dressing; fruit smoothies; and baked goods such as muffins and cookies.

Recipes and nutrition information are **not** required for entrees that are sold a la carte **on the day of service or the day after service** that they are sold as part of reimbursable meals. These entrees are exempt and may be sold a la carte during the meal periods if they: 1) are the same or smaller portion size as the NSLP and SBP; and 2) have the same accompaniments.

Note: This exemption applies only to the **three categories of main dish entree items** (lunch) and **grain-only items** (breakfast only) defined by Smart Snacks. Any other meal components sold separately from reimbursable meals must comply with Smart Snacks. For example, french fries that are part of a reimbursable meal cannot be sold a la carte unless they meet the Smart Snacks nutrition standards. For more information, refer to the CSDE’s resource, [*Summary of Smart Snacks Nutrition Standards for Competitive Foods in Schools*](#).

- **Category 2: Foods with other ingredients added after purchasing:** Examples include popping popcorn kernels in oil; assembling a sandwich; making muffins from a mix and adding butter and eggs; adding butter to rice and pasta; adding dressing to salad; and adding sprinkles to commercial frozen cookie dough. The selling entity must create a recipe for these foods based on the specific amount of each ingredient, and conduct a nutrient analysis to determine the nutrition information per serving.



For more information on evaluating recipes, refer to the CSDE’s resources, [*Guidance on Evaluating Recipes for Compliance with the CNS*](#) and [*How to Evaluate Foods Made from Scratch for Compliance with the CNS*](#), and visit the “How To” section of the CSDE’s CNS webpage. **Note:** While these resources address evaluating foods for compliance with the Connecticut Nutrition Standards (CNS) for HFC public schools, the same concepts apply to evaluating foods for compliance with the Smart Snacks nutrition standards.

Beverage Requirements for Public Schools

Public schools must comply with the state beverage statute (C.G.S. Section 10-221q) and the Smart Snacks nutrition standards. Some of the Smart Snacks nutrition standards are stricter than the standards of the state beverage statute, and some standards of the state beverage statute are stricter than the Smart Snacks nutrition standards. All beverages available for sale to students on school premises must comply with the stricter requirement of each federal and state beverage standard.

The Smart Snacks nutrition standards apply to beverages available for sale to students separately from school meals **during the school day**. The state beverage statute applies to all beverages available for sale to students as part of and separately from reimbursable meals **at all times**, unless the sales meet specific exemption criteria. Sources of beverage sales include, but are not limited to, cafeterias, vending machines, school stores, and fundraisers. For additional examples, refer to [table 1-1](#).

- “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for beverages. Sales also include programs and activities that charge a fee that includes the cost of beverages provided to students; and activities that suggest a student donation in exchange for beverages. For more information, refer to “[Sales to Students](#)” and “[Food Rewards](#)” in section 2.

The Smart Snacks nutrition standards apply only to **purchased** tickets, coupons, tokens, and similar items that students can exchange for beverages. They do not apply to tickets, coupons, tokens, and similar items that are given to students, such as coupons for food rewards.

- “School premises” include all areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (CTECS), or the governing authority district or school.

For information on the specific beverage requirements, refer to the CSDE’s resource, [Allowable Beverages in Connecticut Public Schools](#), and the CSDE’s PowerPoint presentation, [Beverage Requirements for Connecticut Public Schools](#). For additional resources, visit the CSDE’s [Beverage Requirements](#) webpage. The beverage requirements in these resources include the stricter requirements of the state beverage statute and the USDA Smart Snacks nutrition standards.

Allowable beverages

The state beverage statute allows public schools to sell only five categories of beverages to students. Table 1-3 summarizes the beverage requirements for public schools, which include the Smart Snacks nutrition standards and any stricter requirements of the state beverage statute. The CSDE's [List of Acceptable Foods and Beverages](#) webpage includes brand-specific beverages that comply with all federal and state beverage requirements.

Table 1-3. Beverages allowed by C.G.S. Section 10-221q and Smart Snacks ¹

- **Milk**, low-fat (1%) and nonfat, flavored or unflavored, with no more than 4 grams of sugar per fluid ounce and no artificial sweeteners. ²
- **Nondairy milk substitutes** such as soy milk (flavored or unflavored) that comply with the USDA's nutrition standards for nutritionally equivalent milk alternatives; and contain no artificial sweeteners, no more than 4 grams of sugar per fluid ounce, no more than 35 percent of calories from fat, and no more than 10 percent of calories from saturated fat. ^{2,3}
- **100 percent juice** (fruit, vegetable, or combination), containing no added sweeteners. ²
- **Beverages that contain only water and fruit or vegetable juice** with no added sweeteners, that meet the requirements specified in the CSDE's resource, [Requirements for Beverages Containing Water and Juice](#). ²
- **Water (plain or carbonated)**, which may be flavored but contains no added sweeteners or caffeine. ² Water sold to students in elementary and middle schools must be unflavored. Water sold to students in high schools may be flavored or unflavored.

Portion sizes cannot exceed 8 fluid ounces for elementary schools and 12 fluid ounces for middle and high schools, except for water, which is unlimited.

¹ These standards include the stricter requirements of the Smart Snacks nutrition standards and the state beverage statute.

² Sweeteners include nutritive (caloric) sweeteners (e.g., sugar, sucrose, honey, fruit juice concentrate, and high fructose corn syrup) and nonnutritive sweeteners without calories. Nonnutritive sweeteners include artificial sweeteners (e.g., acesulfame potassium, aspartame, and sucralose), "natural" sweeteners such as stevia (e.g., Rebiana, Reb A, Truvia, PureVia, and SweetLeaf), and sugar alcohols (e.g., sorbitol, mannitol, maltitol, and erythritol).

³ For information on the USDA's nutrition standards for nondairy milk substitutes, refer to the CSDE's resource, [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

Beverage exemptions

Beverages that do not comply with the state beverage statute cannot be sold to students in public schools unless the local board of education or school governing authority votes to allow exemptions, and: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store.

- An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, awards banquets, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. [Table 1-3](#) shows additional examples of events.
- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the board of education or school governing authority on school premises are part of the regular school day.
- “Location” means where the event is being held. For example, lemonade could be sold to students at the baseball field during a baseball game, but cannot be sold to students in the school cafeteria while a baseball game is played on the baseball field.

Required vote for beverage exemptions

Beverage exemptions are not part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)), which is required for all public schools that participate in the NSLP. The exemption section of the HFC Statement applies only to foods. The board of education or school governing authority must vote separately to allow any sales of noncompliant beverages to students in public schools. If the vote does not occur, schools cannot sell noncompliant beverages to students on school premise at any time.

Documentation of the approved vote for beverage exemptions must be available in the board of education or school governing authority’s meeting minutes. Alternatively, beverage exemptions may be incorporated into the LEA’s policy, e.g., school wellness policy. For more information on beverage exemptions, refer to the CSDE’s resource, [Exemptions for Foods and Beverages in Public Schools](#).

Example of beverage sales in districts with approved beverage exemptions

If the district votes to allow beverage exemptions and school ends at 3:00 p.m., beverages that do not comply with the state beverage statute could be sold at the location of an event held on school premises anytime from 3:31 p.m. through 11:59 p.m. However, if any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the exemptions allowed by the state beverage statute for coffee, tea, and soft drinks at events.

Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including events that meet the exemption criteria of the state HFC and beverage statutes) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 to 4:30 p.m., an event on school premises cannot sell or give coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m. For more information, refer to “[State Competitive Foods Regulations](#)” in this section.

Table 1-4. Examples of events for beverage exemptions ¹

Awards banquets	School fairs, e.g., health, science, and math
Boy Scout Blue & Gold dinner	Silent auctions
Craft fairs	Sports banquets
Debate team competitions	Sports games, tournaments, and matches, e.g., basketball, football, soccer, tennis, field hockey, volleyball, and cross country
Election day (if school is not in session)	Talent shows
Family bingo nights	Theatrical productions
Math team competitions	
Mock trial competitions	
School carnivals	
School concerts	
School recitals	
School dances	

¹ This list is not all-inclusive. For questions regarding whether specific district fundraising activities meet the definition of “event,” contact the CSDE (refer to “[CSDE Contact Information](#)” at the beginning of this guide).

Prohibited beverages

Prohibited beverages include all beverages that do not meet the requirements of the state beverage statute and the Smart Snacks nutrition standards. Table 1-5 shows examples of beverages prohibited by either the state beverage statute, the Smart Snacks nutrition standards, or both. This list is not all-inclusive. For information on the restrictions for selling and giving specific beverages to students in non-HFC public schools, refer to [section 4](#).

Table 1-5. Examples of prohibited beverages ¹

- **Coffee** (regular, decaffeinated, herbal, and iced)
- **Energy drinks**, e.g., Red Bull
- **Hot chocolate** (regular, low-calorie, and low-sugar)
- **Milk-based beverages that do not meet the federal standard of identify for fluid milk**, e.g., Yoo-Hoo chocolate drink
- **Nondairy milk substitutes that do not meet the USDA's nutrition standards for fluid milk substitutes**, e.g., soy milk, rice milk, and almond milk ²
- **Sports drinks** (regular, low-calorie, and zero calorie), e.g., Gatorade and Powerade
- **Tea** (regular, decaffeinated, herbal, and iced)
- **Water and juice beverages with added sweeteners or ingredients not allowed** (refer to the CSDE's resource, [Requirements for Beverages Containing Water and Juice](#)), e.g., Minute Maid Fruit Falls Water Beverage (contains sucralose and acesulfame potassium), and Izze Sparkling Juice (contains additional fortification) ⁴
- **Waters (with or without carbonation) with added sweeteners**, e.g., Propel Flavored Water Beverage with Vitamins (contains sucralose and acesulfame potassium), Glaceau Vitamin Water (contains crystalline fructose and cane sugar), Capri Sun Roarin' Waters Fruit Flavored Water Beverage (contains high fructose corn syrup and sucralose), Kool-Aid Jammers (contains high fructose corn syrup), Fruit20 Flavored Sparkling Water Beverage (contains sucralose), Dasani Flavored Water Beverage (contains sucralose and acesulfame potassium), and Aquafina Flavorsplash Water (contains sucralose) ⁴
- **Waters mixed with drink mix powders with added sweeteners** (regular and diet), e.g., Crystal Light Pure Fitness (contains evaporated cane juice, sugar, and rebiana) ⁴

Table 1-5. Examples of prohibited beverages ¹, *continued*

- **Whole milk and reduced fat (2%) milk**, regular and lactose-free ¹Sweetened juice drinks (with or without carbonation) that are not 100 percent juice, e.g., Hawaiian Punch (contains high fructose corn syrup), Tropicana Twisters (contains high fructose corn syrup), Tropicana Trop50 (Reb A), Minute Maid Light Orange Juice Beverage (contains sucralose and acesulfame potassium), and Minute Maid Coolers (contains high fructose corn syrup and sugar) ^{3,4}100 percent juice with added sweeteners ⁴

- ¹ The mention of trade names and commercial products does not imply approval or endorsement by the CSDE or USDA. Product names are used solely for clarification in identifying unacceptable beverages.
- ² The USDA preschool meal patterns require whole milk for age 1. Whole milk can only be sold as part of reimbursable meals and ASP snacks for preschoolers.
- ³ For information on the USDA's nutrition standards for nondairy milk substitutes, refer to the CSDE's resource, [*Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs*](#).
- ⁴ A juice drink is a product resembling juice that contains some portion of full-strength juice with added water and possibly other ingredients such as sweeteners and flavorings. The label may indicate "contains juice," "fruit flavored," or give the percentage of juice, such as "contains 15% juice." A product labeled "100% natural" or "provides 100% vitamin C" is not an indication of 100 percent juice. Examples of juice drinks include grape juice drink, orange juice drink, pineapple-grapefruit beverage, and cranberry cocktail. These products may be labeled drink, beverage, cooler, cocktail, ade, (e.g., lemonade, limeade), nectar, or punch.
- ⁵ Sweeteners include nutritive (caloric) sweeteners (e.g., sugar, sucrose, honey, fruit juice concentrate, and high fructose corn syrup) and nonnutritive sweeteners without calories. Nonnutritive sweeteners include artificial sweeteners (e.g., acesulfame potassium, aspartame, and sucralose), "natural" sweeteners such as stevia (e.g., Rebiana, Reb A, Truvia, PureVia, and SweetLeaf), and sugar alcohols (e.g., sorbitol, mannitol, maltitol, and erythritol).



State Competitive Foods Regulations

Effective August 25, 1992, Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies apply to all schools and institutions that participate in the CNPs. Section 10-215b-1 addresses restrictions for sales and dispensing of candy, coffee, tea, and soft drinks to students on school premises. Section 10-215b-23 regulates the accrual of income from sales of foods and beverages to students on school premises.

- “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. For more information, refer to [“Sales to Students”](#) in section 2.
- “Dispensing” means to give, provide, or distribute foods and beverages to students. This includes foods and beverages that are given to students free of any charge, such as food rewards and classroom parties. For more information, refer to [“Giving Foods and Beverages to Students”](#) in section 2.
- “Candy” includes all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.
- “Coffee” and “tea” include all types, e.g., regular, decaffeinated, herbal, and iced.
- “Soft drinks” include all beverages (with or without carbonation) that contain water and/or juice and added sweeteners (including nutritive sweeteners and artificial or natural nonnutritive sweeteners), and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie, and zero calorie), sweetened beverages (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks), and flavored water with added sweeteners.

Soft drinks do not include beverages that comply with the state beverage statute such as 100 percent fruit or vegetable juice, plain water (with or without carbonation), and 100 percent juice diluted with water that meets the requirements specified in the CSDE’s resource, [Requirements for Beverages Containing Water and Juice](#).

Depending on when CNPs operate, the state beverage statute and the Smart Snacks nutrition standards may supersede Section 10-215b-1, or Section 10-215b-1 may supersede the state beverage statute and the Smart Snacks nutrition standards.

Section 10-215b-1: Restrictions for candy

The Smart Snacks nutrition standards prohibit **selling** candy to students on school premises during the school day. However, Section 10-215b-1 of the state competitive foods regulations extends restrictions for candy because it prohibits **selling and giving** candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including **during and after** the school day. The examples below show how Section 10-215b-1 applies.

- **Example 1:** The SBP operates from 7:00 a.m. to 7:30 a.m. School staff cannot give candy rewards to students on school premises from 6:30 a.m. to 8:00 a.m. A fundraiser cannot offer candy to students in exchange for a suggested donation during this time.
- **Example 2:** The NSLP operates from 11:30 a.m. to 1:00 p.m. A classroom party on school premises cannot give candy to students from 11:00 a.m. to 1:30 p.m.
- **Example 3:** The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. School stores on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m. Teachers cannot give candy to students on school premises during this time.
- **Example 4:** The At-Risk Afterschool Meals program serves supper from 5:00 p.m. to 6:00 p.m. A booster club at a sports competition on school premises cannot sell candy to students from 4:30 p.m. to 6:30 p.m.

If CNPs are not operating, candy could be sold or given to students on school premises **after** the school day. For example, if school ends at 3:00 p.m., candy could be sold or given to students from 3:31 p.m. to 11:59 p.m. However, the CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy on school premises.



Section 10-215b-1: Restrictions for coffee, tea, and soft drinks

Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. The state beverage statute supersedes Section 10-215b-1 because it prohibits sales of coffee, tea, and soft drinks to students in public schools at all times, except for events that meet the beverage exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in this section).

However, if the events occur while any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the beverage exemptions for coffee, tea, and soft drinks allowed by the state beverage statute; and extends restrictions for these beverages to exempted events. Coffee, tea, and soft drinks cannot be sold to students on school premises unless the sales meet the following criteria:

- the board of education or school governing authority has voted to allow beverage exemptions;
- the coffee, tea, and soft drinks are sold at the location of an event held after the school day or on the weekend; and
- the event does not occur while any CNPs are operating.

Coffee, tea, and soft drinks can **never** be sold to students from vending machines or school stores. The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores. For more information, refer to “[Vending Machines](#)” and “[School Stores](#)” in section 2.

The CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy, coffee, tea, and soft drinks on school premises. For more information, refer to the CSDE’s resources, *[Healthy Fundraising](#)*, *[Healthy Celebrations](#)*, and *[Alternatives to Food Rewards](#)*.

Section 10-215b-23: Accrual of income

Section 10-215b-23 of the state competitive foods regulations requires that the income from all sales of foods and beverages to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs must accrue to the nonprofit food service account.

- “Income” means gross income.
- “Nonprofit food service account” means the restricted account in which all of the revenue from all food service operations conducted by the school food authority (SFA) principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-federal funds used to support paid lunches as provided in [7 CFR 210.14\(e\)](#), and proceeds from nonprogram foods as provided in [7 CFR 210.14\(f\)](#).

All sales of foods and beverages to students anywhere on school premises during this time must comply with this regulation, including:

- foods that comply with the Smart Snacks nutrition standards;
- foods that do not comply with the Smart Snacks nutrition standards;
- beverages that comply with the state beverage statute and the Smart Snacks nutrition standards;
- beverages that do not comply with the state beverage statute and the Smart Snacks nutrition standards; and
- beverages sold at events on school premises that meet the beverage exemption criteria of the state beverage statute.

The examples below show how Section 10-215b-23 applies to the income from sales of foods and beverages to students on school premises.

- **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m., the NSLP operates from 11:30 a.m. to 1:00 p.m., and the ASP operates from 3:30 p.m. to 4:30 p.m. The nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m., 11:00 a.m. to 1:30 p.m., and 3:00 p.m. to 5:00 p.m. This also includes the income from: sales of tickets that student can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); student orders for foods and beverages (refer to “[Fundraiser catalogs and orders](#)”); and program fees charged to cover the cost of

foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section).

- **Example 2:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Vending machines on school premises sell foods and beverages to students during the school day. The vending machine contract specifies that the school food service department will receive 20 percent of the total vending sales. The nonprofit food service account must receive 100 percent of the total vending sales (gross income) during 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Example 3:** The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. An afterschool program on school premises sells foods and beverages to students during this time. The nonprofit food service account must receive the afterschool program’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m.
- **Example 4:** The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A school organization collects a fee from families to cover the cost of foods, beverages, and supplies for a celebration that occurs on school premises from 4:00 p.m. to 6:00 p.m. (after the school day). The nonprofit food service account must receive the income from the portion of the fee that covers the cost of foods and beverages provided to students from 4:00 p.m. to 6:00 p.m. programs for nonresidential children.

For more information, refer to the CSDE’s [Operational Memorandum No. 1-18: *Accrual of Income from Sales of Competitive Foods in Schools*](#), and the CSDE’s resource, [Connecticut Competitive Foods Regulations](#).

USDA School Wellness Policy

The Child Nutrition and WIC Reauthorization Act of 2004 ([Section 4 of Public Law 108-265](#)) required all schools and institutions participating in the NSLP and SBP to develop a school wellness policy by the first day of school year 2006-07. The [Healthy, Hunger-Free Kids Act of 2010](#) strengthened the school wellness policy law by adding requirements for public participation, transparency, and implementation. At a minimum, the local wellness policy must:

- include goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness;

- include nutrition guidelines to promote student health and reduce childhood obesity for all foods available in each school district (including foods and beverages that are sold to students, and foods and beverages that are given to students at no cost);
- permit parents, students, representatives of the SFA, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, review, and update of the local wellness policy;
- inform and update the public (including parents, students, and others in the community) about the content and implementation of local wellness policies; and
- be measured periodically on the extent to which schools are in compliance with the local wellness policy, the extent to which the local educational agency's (LEA) local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy, and make this assessment available to the public.

Schools and institutions may choose to include additional features or integrate student wellness with other ongoing programs, such as the [Whole School, Whole Community, Whole Child \(WSCC\)](#) model and community-based programs. Federal law requires that school wellness policies must address the five areas above, but the actual content of each area is locally determined by the individual LEA.

Each LEA's school wellness policy has its own requirements regarding what foods and beverages may be sold or given to students at school. At a minimum, the LEA's school wellness policy for foods and beverages must meet all applicable federal and state nutrition standards and requirements.



The resources below provide more information on school wellness policies.

- Action Guide for Child Care Nutrition and Physical Activity Policies (CSDE):
<https://portal.ct.gov/-/media/SDE/Nutrition/CACFP/CCPolicy/CCAG.pdf>
- Action Guide for School Nutrition and Physical Activity Policies (CSDE):
https://portal.ct.gov/-/media/SDE/Nutrition/SWP/Action_Guide.pdf
- Local School Wellness Policy (USDA webpage):
<https://www.fns.usda.gov/tn/local-school-wellness-policy>
- School Wellness Policies (CSDE webpage):
<https://portal.ct.gov/SDE/Nutrition/School-Wellness-Policies>

For additional resources, refer to the CSDE's *Resource List for Wellness Policies for Schools and Child Care*.



Revenue from Nonprogram Foods

Section 7 CFR 210.14 (f) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the nonprofit school food service account. “Nonprogram foods” are foods and beverages purchased using funds from the nonprofit school food service account and available for sale to students or adults at any time or location on school premises, other than reimbursable meals and ASP snacks served through the CNPs.

Nonprogram foods include all foods and beverages sold in schools, adult meals, outside-of-school hours, and catering or vending activities. They also include competitive foods purchased using funds from the nonprofit school food service account, such as cafeteria a la carte sales or foods and beverages for vending machines operated by the food service department. For most SFAs, cafeteria a la carte sales account for the majority of nonprogram foods. Another common source is vending machines operated by the nonprofit school food service account.

This regulation also requires that when school food service labor is used to prepare foods for an outside entity (such as catering), the SFA must ensure that all costs, including labor and any other costs incurred, are covered by the entity being served by the school food service program. For more information, refer to [USDA Memo SP 13-2014: School Food Service Account Revenue from the Sale of Nonprogram Foods](#) and [USDA Memo SP 20-2016: Nonprofit School Food Service Account Nonprogram Food Revenue Requirements](#).

Nonprogram foods are different from competitive foods. Competitive foods are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and ASP snacks served through the CNPs. Some competitive foods are purchased using funds from the nonprofit school food service account, but many are not. For example, funds from the nonprofit school food service account might be used to purchase competitive foods that are sold from vending machines in the cafeteria, but they are not typically used to purchase competitive foods that are sold from school stores and fundraisers.

Requirement to Sell Nutritious Low-fat Foods

C.G.S. Section 10-221p requires that whenever foods are available for sale to students during the school day separately from reimbursable meals, nutritious and low-fat foods must also be available for sale at the same time, either at the location of the food sales or elsewhere in the school. This includes foods available for sale to students in the cafeteria and outside of the cafeteria, such as school stores, vending machines, and fundraisers. This statute applies to all public schools, even if they do not choose the healthy food option of HFC or do not participate in the NSLP and SBP.

The statute defines “nutritious and low-fat foods” as low-fat dairy foods (such as low-fat cheese and low-fat or nonfat yogurt) and fresh or dried fruit. Low-fat milk is a beverage and cannot be used to meet the statutory requirement for low-fat foods.

C.G.S. Section 10-221p does not apply to:

- reimbursable meals in the NSLP, SBP, SFSP, and SSO;
- reimbursable ASP snacks, unless service begins before the end of the school day; or
- schools that solely offer reimbursable meals with no a la carte sales.

For fundraisers consisting of preordered foods, C.G.S. Section 10-221p applies when the foods are **distributed**, not when the foods are ordered. The nutritious low-fat foods specified in the statute must be available for purchase when students pick up the fundraiser foods. The intent of the statute is that when food is made available to students, there are also healthy alternatives.

For more information on the requirement for fundraisers, refer to “[Fundraiser catalogs and orders](#)” in section 2. For more information on C.G.S. Section 10-221p, refer to the CSDE’s resource, [Questions and Answers on Connecticut Statutes for School Foods and Beverages](#).



2 — When the Requirements Apply

Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. Some requirements apply during the school day, while others apply at all times or while CNPs are operating.

When the federal and state requirements differ, the stricter requirements apply. This section indicates how the federal and state nutrition standards (Smart Snacks and state beverage statute) and other applicable federal and state requirements apply to the following sources of foods and beverages in non-HFC public schools:

- sales to students;
- giving foods and beverages to students;
- sales to adults;
- adult education programs;
- afterschool programs and activities;
- Afterschool Snack Program (ASP);
- celebrations;
- compliant foods and beverages;
- concession stands;
- culinary programs;
- family and consumer science classes;
- food rewards;
- foods and beverages brought from home
- fundraisers;
- interschool agreements;
- meetings;
- noncompliant foods and beverages;
- school cafeterias;
- school stores;
- Special Milk Program (SMP);
- sports competitions;
- sports practices;
- Summer Food Service Program (SFSP) and Seamless Summer Option (SSO);
- summer school programs;
- vending machines; and



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- vendors.

How the federal and state requirements for competitive foods apply depends on the source of foods and beverages, and whether and when foods and beverages are sold or given to students. For a summary chart of when the federal and state requirements apply to different sources of competitive foods in non-HFC public schools, refer to the CSDE's resource, [Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools](#).

Sales to Students

The federal and state requirements for sales of competitive foods apply at different times.

- **Smart Snacks nutrition standards (81 FR 50131):** This USDA regulation applies to all foods and beverages available for sale to students on school premises during the school day, separately from reimbursable meals. For more information, refer to [“Smart Snacks Nutrition Standards”](#) in section 1.
- **State beverage statute (C.G.S. Section 10-221q):** This statute applies to all sales of beverages to students on school premises at all times (including beverages sold as part of and separately from reimbursable meals), unless the sales meet the exemption criteria of the state beverage statute. For more information, refer to [“Beverage Requirements for Public Schools”](#) and [“Beverage exemptions”](#) in section 1.
- **State statute requiring nutritious and low-fat foods (C.G.S. Section 10-221p):** This statute applies to all sales of foods to students on school premises during the school day, separately from reimbursable meals. For more information, refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies):** These state regulations apply from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Section 10-215b-1 prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises during this time. Section 10-215b-23 requires that the income from all foods and beverages available for sale to students on school premises during this time must accrue to the nonprofit food service account. These regulations also apply to foods and beverages available for sale to students at events on school premises that meet the exemption criteria of the state beverage statute. For more information, refer to [“State Competitive Foods Regulations”](#) in section 1.

The federal and state requirements for competitive foods have different definitions for sales.

Definition of “sales” for the Smart Snacks nutrition standards

“Sales” means the exchange of a determined amount of money (including the purchase of coupons, tickets, tokens, and similar items) for foods and beverages on school premises during the school day. Under the USDA’s Smart Snacks regulations, schools are selling foods and beverages to students when any of the situations below apply.

1. Students purchase foods and beverages on school premises during the school day.
2. Students purchase tickets, coupons, tokens, and similar items on school premises that can be exchanged for foods and beverages on school premises during the school day.
3. Students order fundraiser foods and beverages on school premises that are intended to be consumed by students on school premises during the school day, and receive distribution of these foods and beverages on school premises during the school day.
4. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises during the school day.
5. Fundraisers on school premises during the school day give foods and beverages to students in exchange for a suggested donation.



Definition of “sales” for Connecticut statutes and regulations

“Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages on school premises. Under Connecticut’s statutes and competitive foods regulations, schools are selling foods and beverages to students when any of the situations below apply. These situations constitute sales to students regardless of when students will receive or consume the foods and beverages.

1. Students purchase foods and beverages on school premises.
2. Students purchase tickets, coupons, tokens, and similar items on school premises that can be exchanged for foods and beverages either on or off school premises.

Selling tickets and similar items on school premises that students **can exchange for foods and beverages** is the same as selling foods and beverages to students on school premises, regardless of when or where the tickets and similar items are exchanged.

3. Students are given tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages on school premises.
4. Students bring fundraiser orders and money to school, and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.
5. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.
6. Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.

What constitutes sales to students

This section summarizes how the federal and state requirements for competitive foods apply to the six conditions that constitute selling foods and beverages to students in non-HFC public schools.

1. **Students purchase foods and beverages on school premises.** For example, students buy snacks in the cafeteria or beverages from a vending machine or school store.
 - **USDA Smart Snacks nutrition standards:** These standards apply to all foods and beverages available for purchase by students (separately from reimbursable meals) on school premises during the school day.
 - **State beverage statute:** This statute applies to all beverages available for purchase by students on school premises at all times. This includes beverages that are part of and available separately from reimbursable meals. Exemptions are allowed for beverage sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).
 - **State statute for nutritious and low-fat foods:** This statute applies whenever **foods** are available for sale to students (separately from reimbursable meals) on school premises during the school day. It does not apply to beverages available for purchase by students.
 - **State competitive foods regulations:** These regulations apply to all foods and beverages available for purchase by students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. They also apply to beverages available for sale to students at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

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2. **Students purchase coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages on school premises.** For example, students purchase tickets on Monday that can be exchanged for cookies on Friday, or students purchase coupons that can be exchanged for foods and beverages in the school store. For more information, refer to “[Tickets, coupons, and tokens](#)” in this section.
 - **USDA Smart Snacks nutrition standards:** These standards apply to all tickets and similar items that can be purchased by students, and can be exchanged for foods and beverages, on school premises during the school day. The Smart Snacks nutrition standards do not apply when tickets and similar items are **given** to students, such as food rewards.
 - **State beverage statute:** This statute applies to tickets and similar items that can be purchased by or given to students on school premises, and can be exchanged for beverages on school premises at any time. This includes beverages that are part of and available separately from reimbursable meals. Exemptions are allowed for selling and exchanging beverage tickets and similar items at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).
 - **State statute for nutritious and low-fat foods:** This statute applies to tickets and similar items that can be purchased by or given to students on school premises and can be exchanged for foods on school premises during the school day. The statute applies when students **exchange** the coupons, not when students purchase or are given the coupons. It does not apply to coupons that students can exchange for beverages.
 - **State competitive foods regulations:** These regulations apply to all tickets and similar items that are purchased by or given to students, and can be exchanged for foods and beverages, on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to purchasing and exchanging tickets and similar items for beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

3. **Students are given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages, such as coupons for food rewards.** For example, teachers reward students with coupons that can be exchanged for ice cream in the cafeteria. For more information, refer to “[Tickets, coupons, and tokens](#),” “[Giving Foods and Beverages to Students](#),” “[Food Rewards](#),” and “[Celebrations](#)” in this section.

- **USDA Smart Snacks nutrition standards:** These standards do not apply when tickets and similar items that can be exchanged for foods and beverages are given to students.
- **State beverage statute:** This statute applies at all times to tickets and similar items that are given to and can be exchanged by students for beverages on school premises. This includes beverages that are part of and available separately from reimbursable meals. Giving students tickets or similar items that can be exchanged for beverages is the same as selling beverages to students, regardless of when or where students exchange them. Exemptions are allowed for tickets and similar items that can be exchanged for beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).
- **State statute for nutritious and low-fat foods:** This statute applies when students **exchange** the tickets or similar items for foods on school premises during the school day. It does not apply at the time the food coupons are given to students, or to coupons that students can exchange for beverages.
- **State competitive foods regulations:** These regulations apply to all tickets and similar items that are given to students, and can be exchanged for foods and beverages (as part of and separately from reimbursable meals), on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to giving and exchanging tickets and similar items for beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).



4. **Students bring fundraiser orders and money to school, and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.** For example, students take orders off school premises for frozen cookie dough, frozen pies, and bags of gourmet coffee; and bring the orders and money to school. When the products arrive at school, students pick up the products at school to bring home for delivery to customers. For more information, refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section.
 - **USDA Smart Snacks nutrition standards:** These standards do not apply to foods and beverages ordered by students through fundraisers when the foods and beverages are intended for consumption at home.
 - **State beverage statute:** This statute prohibits fundraisers where students order beverages on school premises and receive the beverages on school premises, regardless of when the beverages are intended to be consumed by students. Exemptions are allowed for beverage orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).
 - **State statute for nutritious and low-fat foods:** This statute applies when foods ordered through a fundraiser are **distributed** to students on school premises during the school day, regardless of when the foods are intended to be consumed by students. It does not apply at the time the student orders the food, or to student beverage orders or the distribution of fundraiser beverages to students.
 - **State competitive foods regulations:** These regulations apply to foods and beverages ordered by and distributed to students through a fundraiser on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day, regardless of when the foods and beverages are intended to be consumed by students. These regulations also apply to student orders for beverages, and distribution of beverages to students, at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

5. **Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.** For example, an afterschool program charges a fee that includes the cost of snacks provided to students, or parents send money to school to cover the cost of foods and beverages provided to students at classroom parties. For more information, refer to “[Afterschool programs and activities](#)” and “[Celebrations](#)” in this section.
- **USDA Smart Snacks nutrition standards:** These standards apply to fee-based programs and activities (excluding classroom parties) that provide foods and beverages to students on school premises during the school day. The Smart Snacks nutrition standards do not apply to classroom parties on school premises when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages.
 - **State beverage statute:** This statute applies to all beverages provided to students through fee-based programs and activities on school premises, including classroom parties. Fee-based programs and activities are not eligible for beverage exemptions because they are not events. Classroom parties could be eligible for beverage exemptions if they are held after the school day or on the weekend. For more information, refer to “[Beverage exemptions](#)” in section 1 and “[Celebrations that are events](#)” in this section.
 - **State statute for nutritious and low-fat foods:** This statute applies when fee-based programs or activities (including classroom parties) provide foods to students on school premises during the school day. It does not apply to fee-based programs or activities that provide beverages students **after** the school day.
 - **State competitive foods regulations:** These regulations apply to fee-based programs and activities (including classroom parties) that provide foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to celebrations on school premises that meet the definition of an event, and are therefore eligible for exemptions under the state beverage statute. For more information, refer to [Beverage exemptions](#)” in section 1 and “[Celebrations that are events](#)” in this section.

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6. **Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.** For example, students receive a “free” cookie if they donate money to a charity fundraiser. For more information, “[Suggested donations for foods and beverages](#)” in this section.
- **USDA Smart Snacks nutrition standards:** These standards apply when fundraisers on school premises give foods and beverages to students in exchange for a suggested donation during the school day.
 - **State beverage statute:** This statute applies at all times to fundraisers on school premises that give beverages to students in exchange for a suggested donation. Exemptions are allowed for fundraisers that give beverages to students in exchange for a suggested donation at events on school premises that meet the exemption criteria of the state beverage statute. For more information, refer to “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” in this section.
 - **State statute for nutritious and low-fat foods:** This statute applies when fundraisers on school premises give foods to students in exchange for a suggested donation during the school day. It does not apply to fundraisers that provide beverages to students in exchange for a suggested donation.
 - **State competitive foods regulations:** These regulations apply when fundraisers on school premises give foods and beverages to students in exchange for a suggested donation from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to fundraisers that give beverages to students in exchange for a suggested donation at events on school premises that meet the exemption criteria of the state beverage statute. For more information, refer to “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” in this section.



Giving Foods and Beverages to Students

“Giving” means that foods and beverages are provided free of any charge, contribution, or suggested donations. The federal and state requirements for competitive foods have different requirements and definitions for giving foods and beverages to students.

The federal and state nutrition standards (Smart Snacks and the state beverage statute) and the state statute for nutritious low-fat foods (C.G.S. Section 10-221p) do not apply when foods and beverages are given to students. However, Section 10-215b-1 of the state competitive foods regulations prohibits giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “[State Competitive Foods Regulations](#)” in section 1.

Definition of “giving” for the Smart Snacks nutrition standards

Under the USDA’s Smart Snacks regulations, giving foods and beverages to students means that **all** of the following criteria apply:

- students do not purchase foods and beverages on school premises during the school day;
- students do not order foods and beverages on school premises during the school day that are intended to be consumed on school premises during the school day;
- students do not exchange purchased tickets, coupons, tokens, and similar items for foods and beverages on school premises during the school day;
- programs and activities on school premises that charge a fee do not include the cost of foods and beverages provided to students during the school day; and
- fundraisers on school premises do not give foods and beverages to students in exchange for a suggested donation during the school day.

Definition of “giving” for Connecticut statutes and regulations

Under Connecticut’s statutes and competitive foods regulations, giving foods and beverages to students means that **all** of the following criteria apply:

- students do not purchase foods and beverages on school premises;
- students do not order foods and beverages on school premises;
- students do not exchange purchased or free tickets, coupons, tokens, and similar items for foods and beverages on school premises;
- programs and activities on school premises that charge a fee do not include the cost of foods and beverages provided to students; and

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- fundraisers on school premises do not give foods and beverages to students in exchange for a suggested donation.

Sales to Adults

The federal and state nutrition standards do not apply to foods and beverages sold to adults (such as teachers, school staff, and parents) on school premises. Schools may sell any foods and beverages to adults at any time, either on or off school premises.

However, the state statutes and competitive foods regulations apply when students sell foods and beverages to adults off school premises, deliver the fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to customers. An example is a fundraiser catalog that sells candy bars and bags of gourmet coffee. For more information, refer to [“Fundraiser catalogs and orders”](#) in this section.



Under the state statutes and state competitive foods regulations, foods and beverages are being sold to students whenever students exchange money or its equivalent for foods and beverages on school premises.

Adult Education Programs

The majority of Connecticut’s adult education programs are provided through local school districts. Adult education programs are also available through various community and faith-based organizations.

Under certain conditions, Connecticut’s statutes and regulations apply to sales of foods and beverages from adult education programs located in public schools. The state statutes and regulations for foods and beverages do not address an age limit for students or distinguish between regular and adult education programs. Therefore, the state statutes and regulations apply to foods and beverages sold to adults who are “students” in adult education programs operating on the premises of public school districts if 1) the adult education program is under the board of education’s jurisdiction; and 2) the food and beverage sales are under the control of the adult education program. This includes fee-based adult education programs that include

the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and adult education programs where students can exchange tickets for foods and beverages, including tickets that are sold or given to students (refer to “[Tickets, coupons, and tokens](#)” in this section).

The state statutes and regulations for foods and beverages do not apply if 1) the district rents, leases, or borrows building space for an adult education program; and 2) the building owner maintains any sources of food and beverage sales, such as vending machines or food kiosks. These sales are not under the control of the adult education program. For more information, refer to the CSDE’s memo, *Requirements for Selling Foods and Beverages in Adult Education Programs*.

Smart Snacks nutrition standards for adult education programs

The Smart Snacks nutrition standards do not apply to adult education programs on school premises.

State beverage requirements for adult education programs

If an adult education program is located on school premises and operating under the board of education’s jurisdiction, the state beverage statute applies to all beverages available for sale to adult education students at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based adult education programs that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and adult education programs where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the foods and beverages.

Beverages available for sale to students from adult education programs on school premises operating under the board of education’s jurisdiction must **always** comply with the state beverage statute. Adult education programs are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for adult education programs

In addition to the state beverage requirements, C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations apply to adult education programs under the board of education's jurisdiction that operate on school premises during the school day or while CNPs are operating. These regulations apply to all sales of foods and beverages in these adult education programs (refer to "[State beverage requirements for adult education programs](#)" in this section and "[Definition of "sales" for Connecticut statutes and regulations](#)" in section 1).

C.G.S. Section 10-221p and the state competitive foods regulations do **not** typically apply to adult education programs. Most adult education programs on school premises operate **after** the school day and **outside** of the time that CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that adult education programs selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to "[Requirement to Sell Nutritious Low-fat Foods](#)" in section 1). This statute does not typically apply to adult education programs because they usually operate **after** the school day.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits adult education programs on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to "[Definition of "sales" for Connecticut regulations](#)" and "[Definition of "giving" for Connecticut statutes and regulations](#)" in this section). This regulation does not typically apply to adult education programs because they usually operate **outside** of the time that CNPs are operating.
 - **Selling candy:** Adult education programs on school premises cannot sell candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., an adult education program on school premises cannot sell or distribute candy to students (or purchase candy with program fees and provide it to students) from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Adult education programs on school premises can **never** sell coffee, tea, and soft drinks to students. Fee-based adult education programs on school premises can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
- **Giving candy, coffee, tea, and soft drinks:** Adult education programs on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 5:00 to 6:00 p.m., an adult education program on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 4:30 p.m. to 6:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This regulation does not typically apply to adult education programs because they usually operate **outside** of the time that CNPs are operating.
 - **Example:** The At-risk Afterschool Meals program operates after the school day from 5:30 to 6:30 p.m. An adult education program on school premises sells foods and beverages to students during this time. The nonprofit food service account must receive the adult education program's income from all foods and beverages sold to students from 5:00 p.m. to 7:00 p.m. This also includes sales of tickets that students can exchange for foods and beverages in adult education programs on school premises (refer to "[Tickets, coupons, and tokens](#)" in this section); and program fees charged to cover the cost of foods and beverages provided to students in adult education programs on school premises (refer to "[Fee-based Programs and Activities](#)" in this section). **Note:** All beverages available for sale from this adult education program must comply with the state beverage statute because adult education programs are not eligible for beverage exemptions (refer to "[Beverage exemptions](#)" in section 1).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations](#)" in section 1.

Afterschool Programs and Activities

Afterschool programs and activities that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of afterschool programs and activities include enrichment programs, extracurricular classes, tutoring sessions, performing arts groups, and clubs (such as art, chess, foreign language, and math).

This also includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students on school premises. Examples of fee-based afterschool programs include a movie or board game club that provides soda and popcorn; enrichment programs, extracurricular classes, tutoring sessions, and clubs that include a daily snack; and cooking classes where students eat the foods they have prepared.

Smart Snacks nutrition standards for afterschool programs and activities

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from afterschool programs and activities on school premises **during the school day** (refer to “[Definition of “sales” for the Smart Snacks nutrition standards](#)” in this section). This also includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and afterschool programs and activities where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

- **Example 1:** The school day ends at 3:00 p.m. An afterschool program on school premises sells foods and beverages to students beginning at 3:15 p.m. The Smart Snacks nutrition standards apply because these sales occur **before** the end of the school day. **Note:** All beverages available for sale to students from this afterschool program must also comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).



- **Example 2:** The school day ends at 3:00 p.m. An afterschool program on school premises sells foods and beverages to students beginning at 3:45 p.m. The Smart Snacks nutrition standards do not apply because these sales occur **after** the end of the school day. **Note:** All beverages available for sale to students from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).
- **Example 3:** The school day ends at 3:00 p.m. A six-week afterschool tutoring program operates on school premises from 3:15 p.m. to 4:30 p.m. The program charges a registration fee that includes the cost of foods and beverages provided to students during the program. The Smart Snacks nutrition standards apply to all foods and beverages provided to students from 3:15 p.m. to 3:30 p.m. (during the school day). **Note:** During the **entire time** of the tutoring program (3:15 p.m. to 4:30 p.m.), all beverages provided to students must comply with state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).

State beverage requirements for afterschool programs and activities

The state beverage statute apply to all foods and beverages available for sale to students from afterschool programs and activities on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based afterschool programs and activities that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and afterschool programs and activities where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from afterschool programs and activities must **always** comply with the state beverage statute. Afterschool programs are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for afterschool programs and activities

In addition to the federal and state nutrition standards, afterschool programs and activities on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in afterschool programs and activities on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do **not** typically apply to afterschool programs and activities. Most afterschool programs and activities on school premises operate **after** the school day and **outside** of the time that CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that afterschool programs or activities selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1). This statute does not typically apply to most afterschool programs and activities because they usually operate **after** the school day.
 - **Example:** The school day ends at 3:00 p.m. An afterschool program on school premises sells foods and beverages to students before 3:30 p.m. (during the school day). The afterschool program must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1). Up through 3:30 p.m., all foods and beverages must also comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits afterschool programs and activities from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., an afterschool program on school premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits selling coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Afterschool programs and activities on school premises can **never** sell coffee, tea, and soft drinks to students. Fee-based afterschool programs and activities on school premises can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Afterschool programs and activities cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., an afterschool program or activity cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from afterschool programs and activities that occur on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during afterschool programs and activities (refer to [“Fee-based Programs and Activities”](#) in this section); and sales of tickets that students can exchange for foods and beverages in afterschool programs and activities (refer to [“Tickets, coupons, and tokens”](#) in this section).
 - **Example:** The school day ends at 3:00 p.m. The ASP operates on school premises after the school day from 3:30 p.m. to 4:30 p.m. An afterschool program on school premises sells foods and beverages to students during this time. The nonprofit food service account must receive the afterschool program’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** All beverages sold to students from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 1). The Smart Snacks nutrition standards do not apply because the sales occur after the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations”](#) in section 1.

Afterschool Snack Program (ASP)

The ASP operates under the NSLP. Reimbursable snacks served in the ASP must meet the requirements of the USDA’s ASP meal pattern. For information on the ASP meal pattern requirements, visit the “[Documents/Forms](#)” section of the CSDE’s [Afterschool Snack Program](#) webpage.

Smart Snacks nutrition standards for the ASP

The Smart Snacks nutrition standards do not apply to reimbursable ASP snacks unless the ASP:

- operates before the end of the school day; or
- sells additional foods and beverages to students separately from reimbursable snacks before the end of the school day.

For example, if the school day ends at 3:00 p.m., the Smart Snacks nutrition standards apply to reimbursable ASP snacks served between 3:00 p.m. to 3:30 p.m. (during the school day), but do not apply to reimbursable ASP snacks served after 3:30 p.m. (after the school day).

State beverage requirements for the ASP

The state beverage statute applies **at all times** to all beverages that are part of reimbursable ASP snacks, and all beverages that are available on school premises for sale to students separately from reimbursable ASP snacks.

ASP menus must **always** comply with the state beverage statute. The ASP is not eligible for beverage exemptions because it does not meet the definition of an event.



Other state requirements for the ASP

In addition to the federal and state nutrition standards, the ASP must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises **outside** of the ASP (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that whenever foods are available for sale to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must also be available for sale at the same location or elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1). This statute does not apply to the ASP unless the ASP provides snacks to students **before** the end of the school day.
 - **Example 1:** The school day ends at 3:00 p.m. The ASP serves reimbursable snacks to students before 3:30 p.m. (during the school day). Up through 3:30 p.m., the ASP must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages served in reimbursable ASP snacks must comply with the state beverage statute because the ASP is not eligible for beverage exemptions under the state beverage statute (refer to “[Beverage exemptions](#)” in section 1). Up through 3:30 p.m., all foods and beverages must also comply with the Smart Snacks nutrition standards because the ASP operates before the end of the school day.
 - **Example 2:** The school day ends at 3:00 p.m. The ASP serves reimbursable snacks to students after 3:30 p.m. C.G.S. Section 10-221p does not apply. **Note:** All beverages served in reimbursable ASP snacks must comply with the state beverage statute because the ASP is not eligible for beverage exemptions under the state beverage statute (refer to “[Beverage exemptions](#)” in section 1). The Smart Snacks nutrition standards do not apply because the ASP operates **after** the end of the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the ASP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits the ASP from selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the ASP operates after the school day from 3:30 to 4:30 p.m., the ASP (or any other entity on school premises) cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits selling coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. The ASP is not eligible for beverage exemptions because it does not meet the definition of an event. The ASP can **never** sell or distribute coffee, tea, and soft drinks to students; or purchase coffee, tea, and soft drinks and distribute them to students.
 - **Giving candy, coffee, tea, and soft drinks:** The ASP cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the ASP operates after the school day from 3:30 to 4:30 p.m., the ASP (or any other entity on school premises) cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the ASP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all sales of foods and beverages to students on school premises during this time.
 - **Example:** The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A school club sells foods and beverages to students at a soccer game (event) on school premises starting at 3:30 p.m. (after the school day). The nonprofit food service account must receive the school club’s income from all foods and

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beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** The school club may sell noncompliant beverages because the sales meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1). However, Section 10-215b-23 supersedes the exemption criteria because the sales occur during CNP operations.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Celebrations

Celebrations that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of school celebrations include classroom parties, birthday parties, holidays, cultural events, and parties for special occasions.



Smart Snacks nutrition standards for celebrations

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from celebrations on school premises **during the school day**. They do not apply to:

- foods and beverages supplied by students, parents, or teachers for celebrations on school premises;
- foods and beverages purchased with funds provided by students, parents, or teachers for celebrations on school premises; and
- celebrations on school premises where students can exchange purchased or free tickets for foods and beverages.

For example, if the school day ends at 3:00 p.m., the Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from celebrations on school premises through 3:30 p.m. (during the school day). However, they do not apply to foods and beverages available for sale to students after 3:30 p.m. (after the school day).

State beverage requirements for celebrations

The state beverage statute applies to all beverages available for sale to students from celebrations on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section), except for sales from celebrations that are events (refer to “[Celebrations that are events](#)” in this section). This also includes fee-based celebrations that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and celebrations where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

- **Example 1:** A parent organization collects money from families at the beginning of the school year to pay for beverages provided to students at classroom parties throughout the school year. The classroom parties occur during the school day. The beverages must comply with the state beverage statute.
- **Example 2:** A school club sells tickets that students can exchange for beverages at a school-wide celebration that occurs on school premises during the school day. The beverages must comply with the state beverage statute.

The CSDE strongly encourages schools to offer healthy choices at celebrations on school premises. Celebrations at school provide a unique opportunity to make healthy eating fun and exciting for children. For more information, refer to the CSDE’s resource, [Healthy Celebrations](#).



Celebrations that are events

Celebrations that occur on school premises after the school day or on the weekend are eligible for beverage exemptions because they meet the definition of an event (refer to “[Beverage exemptions](#)” in section 1). If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at a celebration (event) that occurs on school premises after the school day or on the weekend. These sales cannot occur from vending machines or school stores. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for celebrations” below).

Other state requirements for celebrations

In addition to the federal and state nutrition standards, celebrations on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages at celebrations on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). They also apply to celebrations that are events (refer to “[Celebrations that are events](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that celebrations selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** The school day ends at 3:00 p.m. A celebration on school premises sells foods to students before 3:30 p.m. (during the school day). The celebration must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this celebration must comply with the state beverage statute because sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1). All foods and beverages must also comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits celebrations on school premises from selling and giving candy, coffee, tea, or soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., a celebration on school premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Celebrations on school premises cannot sell or distribute coffee, tea, and soft drinks to students unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the celebration (event) occurs after the school day or on the weekend; and 3) the celebration does not occur while any CNPs are operating. For more information, refer to [“Celebrations that are events”](#) in this section.
 - **Giving candy, coffee, tea, and soft drinks:** Celebrations on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a celebration on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from celebrations on school premises 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales that meet the exemption criteria of the state beverage statute (refer to “[Celebrations that are events](#)” in section 1); fees charged to cover the cost of foods and beverages provided to students at celebrations on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); and sales of tickets that students can exchange for foods and beverages at celebrations on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section).
 - **Example 1:** The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A celebration (event) held after the school day sells foods and beverages to students while the ASP is operating. The nonprofit food service account must receive the celebration’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** This celebration may sell noncompliant beverages because it meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1). However, Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students because this celebration occurs while the ASP is operating.
 - **Example 2:** The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. The school’s parent organization collects a fee from families to cover the cost of foods, beverages, and supplies for a celebration that occurs on school premises from 4:00 p.m. to 6:00 p.m. (after the school day). The nonprofit food service account must receive the income from the portion of the fee that covers the cost of foods and beverages provided to students from 4:00 p.m. to 6:00 p.m. **Note:** This celebration may sell noncompliant beverages because it meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1). However, Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students because this celebration occurs while the At-risk Afterschool Meals is operating.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Classes and Educational Programs

Classes and educational programs that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples include family and consumer sciences classes, culinary programs, afterschool classes, and afterschool cooking programs. The federal and state nutrition standards do not apply to:

- the family and consumer sciences or culinary program **curriculum**, i.e., foods and beverages prepared by students during learning activities intended to meet curriculum content standards;
- foods and beverages prepared by classes and educational programs for sale to adults, such as teachers, staff, and parents (refer to [“Sales to adults”](#) in this section);
- foods and beverages prepared by classes and educational programs for sale to students off school premises (refer to [“Fundraisers held off school premises”](#) in this section).

Smart Snacks nutrition standards for classes and educational programs

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from classes and educational programs on school premises **during the school day** (refer to [“Definition of “sales” for Smart Snacks”](#) in this section). This also includes fee-based classes and educational programs that include the cost of beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and classes and educational programs where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section).



State beverage requirements for classes and educational programs

The state beverage statute applies to all beverages available for sale to students from classes and educational programs on school premises **at all times**, including during and after the school day (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section). This also includes fee-based classes that include the cost of beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and classes where students can exchange purchased or free tickets for beverages (refer to [“Tickets, coupons, and](#)

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tokens” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from classes and educational programs must **always** comply with the state beverage statute. Classes are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for classes and educational programs

In addition to the federal and state nutrition standards, classes on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from classes on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that classes selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
- **Example:** The school day ends at 3:00 p.m. A family and consumer sciences class sells foods and beverages to students on school premises before 3:30 p.m. (during the school day). The class must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale from this class must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale from this class must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) classes are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

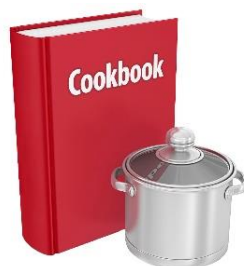
- **Section 10-215b-1 of the state competitive foods regulations** prohibits classes and educational programs from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., classes and educational programs cannot sell or distribute candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits selling coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Classes and educational programs on school premises can **never** sell or distribute coffee, tea, and soft drinks to students. Fee-based classes and educational programs on school premises can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Classes and educational programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a family and consumer sciences class cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from classes and educational programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets that students can exchange for foods and beverages in classes and educational

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programs (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students in classes and educational programs (refer to “[Fee-based Programs and Activities](#)” in this section).

- **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A family and consumer sciences class sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the income from all foods and beverages to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this class must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages sold to students from this class must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) classes are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.



Compliant Foods and Beverages

Compliant foods meet the requirements of the Smart Snacks nutrition standards. Compliant beverages meet the requirements of the state beverage statute and the Smart Snacks nutrition standards. The selling entity must document that commercial products and recipes for foods and beverages meet the applicable federal and state nutrition standards **before** selling foods and beverages to students.

The CSDE’s [List of Acceptable Foods and Beverages](#) webpage identifies commercial food products that comply with Smart Snacks, and commercial beverage products that comply with the state beverage statute and the Smart Snacks nutrition standards. This tool cannot be used to identify allowable beverages because some requirements of the state beverage statute are stricter and supersede the beverage requirements of the Smart Snacks nutrition standards.

For foods made from scratch, the selling entity must refer to the recipe’s nutrition information to determine if the serving complies with Smart Snacks. For more information, refer to [“Identifying Allowable Foods”](#) and [“Allowable Beverages”](#) in section 1.

Selling compliant foods and beverages

Compliant foods and beverages may be sold to students on school premises at any time. For example, a fundraiser held during the school day could sell muffins and cookies listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage because these foods comply with the Smart Snacks nutrition standards. However, sales that occur during the school day must also comply with C.G.S. Section 10-221p (nutritious low-fat foods). If the sales occur while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for compliant foods and beverages” below).

Other state requirements for compliant foods and beverages

In addition to the federal and state nutrition standards, sales of compliant foods and beverages to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

Note: Section 10-215b-1 of the state competitive foods regulations does not apply to compliant foods because this regulation only addresses the requirements for four **noncompliant** foods and beverages (candy, coffee, tea, and soft drinks).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** The school day ends at 3:00 p.m. A school club sells cookies and muffins to students on school premises before 3:30 p.m. (during the school day). The cookies and muffins comply the Smart Snacks nutrition standards and are listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage (refer to “[Commercial products](#)” in section 1). The school club must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales of tickets on school premises that students can exchange for compliant foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); program fees charged to cover the cost of compliant foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for compliant foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section); and student donations in exchange for compliant foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. An organization on school premises sells compliant foods to students during the meal periods. The nonprofit food service account must receive the organization’s income from all foods available for sale to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Concession Stands

Concession stands that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of venues where concession stands might operate include sports competitions, school concerts, and theatrical productions.



The federal and state nutrition standards do not apply when concession stands sell foods and beverages to adults (such as teachers, staff, and parents) on school premises, or sell foods and beverages to students off school premises. For more information, refer to “[Sales to adults](#)” and “[Fundraisers held off school premises](#)” in this section.

Smart Snacks nutrition standards for concession stands

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from concession stands on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes concession stands where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

- **Example 1:** The school day ends at 3:00 p.m. A concession stand at a football game on school premises sells foods and beverages to students beginning at 3:15 p.m. The Smart Snacks nutrition standards apply to all beverages available for sale to students from 3:15 p.m. to 3:30 p.m. because these sales occur **before** the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day).
- **Example 2:** The school day ends at 3:00 p.m. A concession stand at a football game on school premises sells foods and beverages to students beginning at 3:45 p.m. The Smart Snacks nutrition standards do not apply because these sales occur **after** the end of the school day.

State beverage requirements for concession stands

The state beverage statute applies to all beverages available for sale to students from concession stands on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section), unless they meet the exemption criteria of the state beverage statute (refer to “[Concession stands located at an event](#)” in this section). This also includes concession stands where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Concession stands located at an event

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students from a concession stand located at an event that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). The examples below show allowable beverage sales from concession stands located at an event.

- **Example 1:** A concession stand located at the high school football field sells soft drinks to students during a football game (event) that occurs after the school day.
- **Example 2:** A concession stand located at an evening (after the school day) concert or theatrical production (event) on school premises sells lemonade to students during intermission.

If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for concession stands” below).

Concession stands that are not located at an event cannot sell noncompliant beverages. For example, a concession stand located at the high school football field cannot sell sports drinks (noncompliant beverages) during football practices after the school day because practices do not meet the definition of an event. For more information, refer to “[Sports practices](#)” and “[Sports competitions](#)” in this section.

Other state requirements for concession stands

In addition to the federal and state nutrition standards, concession stands on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from concession stands on school premises (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in section 1). They also apply to foods and beverages available for sale to students from concession stands at the location of an event that meet the exemption criteria of the state beverage statute (refer to [“Concession stands located at an event”](#) in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that concession stands selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** The school day ends at 3:00 p.m. A concession stand on school premises sells foods and beverages to students before 3:30 p.m. (during the school day). The concession stand must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this concession stand must comply with the state beverage statute because sales during the school day are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 1). Up through 3:30 p.m., all foods and beverages must also comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits concession stands on school premises from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes

after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., a concession stand at a football game on school premises cannot sell or distribute candy to students from 4:00 to 6:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Concession stands on school premises cannot sell or distribute coffee, tea, and soft drinks to students unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the concession stands are located at an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Concession stands located at an event](#)” in this section.
- **Giving candy, coffee, tea, and soft drinks:** Concession stands on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., a concession stand on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from concession stands on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales from concession stands located at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Concession stands located at an event](#)” in this section); and sales of tickets that students can exchange for foods and beverages at concession stands (refer to “[Tickets, coupons, and tokens](#)” in this section).
 - **Example:** The school day ends at 3:00 p.m. A concession stand located at a sports competition (event) on school premises sells foods and beverages to students from 3:30 p.m. to 5:30 p.m. (after the school day). If the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the concession stand’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** This concession stand may sell noncompliant beverages because it meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

However, Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students because the concession stand sales occur while the ASP is operating.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Culinary Programs

Culinary education programs that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. These standards do not apply to:

- the culinary program **curriculum**, i.e., foods and beverages prepared by students during learning activities intended to meet curriculum content standards (refer to the CSDE’s [Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs \(Smart Snacks versus Connecticut Nutrition Standards\)](#));
- foods and beverages available for sale to students from the culinary program to adults, such as teachers, staff, and parents (refer to “[Sales to adults](#)” in this section);
- foods and beverages available for sale to students from the culinary program to students off school premises (refer to “[Fundraisers held off school premises](#)” in this section).

The CSDE’s resource, [Requirements for Foods and Beverages in Culinary Programs in Non-HFC Public Schools](#), summarizes the requirements for culinary programs.



Smart Snacks nutrition standards for culinary programs

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from culinary programs on school premises **during the school day** (refer to [“Definition of “sales” for Smart Snacks”](#) in this section). This also includes fee-based culinary programs that include the cost of foods and beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and culinary programs where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section).

State beverage requirements for culinary programs

The state beverage statute applies to all beverages available for sale to students from culinary programs on school premises **at all times**, including during and after the school day (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section). This also includes fee-based culinary programs that include the cost of beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and culinary programs where students can exchange purchased or free tickets for beverages (refer to [“Tickets, coupons, and tokens”](#) in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from culinary programs must **always** comply with the state statute. Culinary programs are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for culinary programs

In addition to the federal and state nutrition standards, culinary programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from culinary programs on school premises (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that culinary programs selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).

- **Example:** The school day ends at 3:00 p.m. A culinary program sells foods and beverages to students on school premises before 3:30 p.m. (during the school day). The culinary program must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this culinary program must comply with the state beverage statute because culinary programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1). All foods and beverages must also comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits culinary programs from selling and giving candy, coffee, tea, or soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., culinary programs cannot sell or distribute candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits selling coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Culinary programs can **never** sell or distribute coffee, tea, and soft drinks to students on school premises. Fee-based culinary programs can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Culinary programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m.

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to 1:00 p.m., the culinary program cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from culinary programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets that students can exchange for foods and beverages in the culinary program (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students in the culinary program (refer to “[Fee-based Programs and Activities](#)” in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A culinary program on school premises sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the culinary program’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this culinary program must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages sold to students from this culinary program must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) culinary programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Fee-based Programs and Activities

A fee-based program or activity is one that charges a fee for student participation. The fee sometimes includes the cost of foods and beverages provided to students during the program or activity. Examples include:

- fee-based sports programs that include the cost of foods and beverages provided to students during practices or games;
- fee-based afterschool programs (such as a movie or board game club that provides soda and popcorn; enrichment programs, extracurricular classes, tutoring sessions, and clubs that include a daily snack; and cooking classes where students eat the foods they have prepared; and
- fee-based clubs and organizations that include the cost of foods and beverages provided to students during meetings and activities.

Fee-based programs and activities that provide foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards.



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Smart Snacks nutrition standards for fee-based programs and activities

The Smart Snacks nutrition standards apply to all fee-based programs and activities that include the cost of foods and beverages provided to students on school premises **during the school day**.

- **Example 1:** The school day ends at 3:00 p.m. A fee-based program on school premises sells foods and beverages to students beginning at 3:15 p.m. The Smart Snacks nutrition standards apply because these sales occur **before** the end of the school day.
- **Example 2:** The school day ends at 3:00 p.m. A fee-based program on school premises sells foods and beverages to students beginning at 3:45 p.m. The Smart Snacks nutrition standards do not apply because these sales occur **after** the end of the school day.

State beverage requirements for fee-based programs and activities

The state beverage statute applies to all beverages available for sale to students from fee-based based programs and activities on school premises **at all times**, including during and after the school day. The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages provided to students as part of fee-based based programs and activities on school premises must **always** comply with the state beverage statute. Fee-based based programs and activities are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for fee-based programs and activities

In addition to the federal and state nutrition standards, fee-based based programs and activities on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply regardless of 1) when the program received payment for the foods; and beverages; or 2) when students will receive or consume them (refer to “[Timing of distribution and consumption](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1).

The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fee-based based programs and activities that include the cost of foods provided to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** The school day ends at 3:00 p.m. A fee-based afterschool program operates on school premises from 3:15 p.m. to 5:15 p.m. The program includes the cost of foods and beverages provided to students as a snack. Students receive the snack at 3:15 p.m. (during the school day). The afterschool program must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages provided to students by this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 1). All foods and beverages must also comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the afterschool program provides the foods and beverages to students while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits fee-based program on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., fee-based programs and activities cannot sell or distribute candy to students (or purchase candy with program fees and provide it to students) on school premises from 3:00 p.m. to 5:00 p.m.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits selling coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Fee-based based programs and activities on school premises can **never** sell or distribute candy, coffee, tea, and soft drinks to students; or purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
- **Giving candy, coffee, tea, and soft drinks:** Fee-based based programs and activities on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m. and the ASP operates after the school day from 3:30 to 4:30 p.m., fee-based based programs and activities on school premises cannot give or distribute candy, coffee, tea, and soft to students from 11:00 a.m. to 1:30 p.m. and 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from fee-based based programs and activities on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during fee-based based programs and activities on school premises (refer to “[Fee-based Programs and Activities](#)” in this section).
- **Example:** The ASP operates after the school day from 4:00 to 5:00 p.m. A fee-based afterschool program that includes the cost of foods and beverages provided to students operates on school premises from 3:30 to 5:00 p.m. The nonprofit food service account must receive the income from the portion of the program fee that covers the cost of foods and beverages provided to students. **Note:** All beverages sold to students from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).

Food Rewards

Food rewards given to students for foods and beverages on school premises must comply with the applicable federal and state nutrition standards. However, the federal and state nutrition standards and competitive foods regulations do not apply when a student's Individualized Education Plan (IEP) requires food rewards.



Smart Snacks nutrition standards for food rewards

The Smart Snacks nutrition standards do **not** apply to foods and beverages that are given (free of any charge or contribution) to students on school premises as rewards for good behavior or performance. This includes giving tickets, coupons, tokens, and similar items that students can exchange for foods and beverages on school premises. For example, if a classroom teacher gives students a reward coupon that can be exchanged for pizza and ice cream, these foods are not required to comply with the Smart Snacks nutrition standards. For more information, refer to [“Giving Foods and Beverages to Students”](#) in this section.

State beverage requirements for food rewards

The state beverage statute applies **at all times**, including during and after the school day, to reward tickets and similar items that students can exchange for beverages on school premises. All beverages that students can obtain by exchanging tickets or similar items must comply with the state beverage statute.

However, the state beverage statute does not apply to beverages **given** to students as rewards for good behavior or performance when 1) the beverages are given free of any charge or contribution; and 2) and students are not required to provide a ticket or similar item to obtain the beverages. The examples below indicate how these requirements apply.

- Example 1:** A teacher gives students a reward coupon that can be exchanged for beverages on school premises during or after the school day. The beverages must comply with the state beverage statute. For example, the reward coupon could not be redeemable for hot chocolate because hot chocolate does not comply with the state beverage statute. For more information, refer to [“Sales to Students”](#) in this section.



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- **Example 2:** A teacher gives students hot chocolate on school premises during or after the school day. The state beverage statute does not apply because students are not required to exchange a coupon for the hot chocolate. For more information, refer to [“Giving Foods and Beverages to Students”](#) in this section.

Under Connecticut’s statutes and competitive foods regulations, giving students tickets or similar items that can be exchanged for foods and beverages is the same as selling foods and beverages to students, regardless of when or where students can exchange them (refer to [“Timing of distribution and consumption”](#) in this section and [“Definition of “sales” for Connecticut statutes and regulations”](#) in section 1). Beverages that students can obtain by exchanging tickets or similar items on school premises must always comply with the state beverage statute unless the following apply: 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the coupons are exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating.

The CSDE strongly discourages the use of foods and beverages to reward students for academic performance or good behavior. Food rewards have many negative consequences that go far beyond the short-term benefits of achieving good student behavior or performance. Districts are encouraged to develop healthy nonfood alternatives. The CSDE’s resource, [Alternatives to Food Rewards](#), provides suggestions for rewards that do not involve foods and beverages.

Other state requirements for food rewards

In addition to the federal and state nutrition standards, food and beverage reward coupons given to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 of the state competitive foods regulations. The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating. Section 10-215b-23 does not apply because food rewards do not have any income.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when students can exchange reward coupons for foods on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale when the coupons can be redeemed, either at the same location or elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).

- **Example:** A teacher gives students a reward coupon that can be exchanged for cookies on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when the cookies are distributed to students.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to selling and giving tickets and similar items to students, and the exchange of tickets and similar items by students, at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) (including the exchange of reward coupons for candy) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., students cannot exchange coupons for candy on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot purchase or exchange coupons for coffee, tea, and soft drinks anywhere on school premises, unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the coupons are purchased and exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating.
 - **Giving candy, coffee, tea, and soft drinks:** Tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. In addition, students cannot exchange coupons for candy, coffee, tea, and soft drinks during this time. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., coupons for

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candy, coffee, tea, and soft drinks cannot be given to or exchanged by students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, refer to “[Tickets, coupons, and tokens](#)” in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

The LEA’s school wellness policy may have additional local restrictions that address food rewards for students (refer to “[USDA School Wellness Policy](#)” in section 1).

Foods and Beverages Brought from Home

The federal and state nutrition standards do not apply to foods and beverages that students bring from home to school. However, the state competitive foods regulations requires restrictions for specific foods and beverages brought from home.

Federal and state nutrition standards for foods brought from home

The Smart Snacks nutrition standards and state beverage statute do **not** apply to foods and beverages that students bring from home for their own consumption or to share with other students free of any charge or contribution. Examples include bag lunches, snacks, and foods for classroom parties.



Other state requirements for foods brought from home

If any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations requires restrictions for specific foods and beverages brought from home. Section 10-215b-1 prohibits any entity or person from giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m.,

students cannot give other students candy, coffee, tea, or soft drinks on school premises from 11:00 a.m. to 1:30 p.m.

This regulation applies regardless of whether students obtain these foods and beverages on school premises or bring them from home. For more information, refer to “[Section 10-215b-1: Candy](#)” and “[Section 10-215b-1: Coffee, tea, and soft drinks](#)” in section 1.

The LEA’s school wellness policy may have additional local restrictions that address foods and beverages brought from home (refer to “[USDA School Wellness Policy](#)” in section 1).

Fundraisers

Fundraisers that sell foods and beverages to students on school premises must comply with the Smart Snacks nutrition standards and the state competitive foods regulations. This includes fundraiser sales of commercial products such as potato chips, candy bars, frozen cookie dough, muffin mix, and gourmet coffee; and fundraiser sales of foods and beverages made from scratch, such as baked goods, popcorn, sandwiches, and fruit smoothies.

“Fundraisers” are any activities during which money or its equivalent (such as coupons, tickets, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. This includes any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result.

Fundraisers include activities conducted by school-related organizations (such as student clubs, sports teams, and music programs) and outside organizations not affiliated with the school (such as scouting programs and other youth-based community organizations).



Smart Snacks nutrition standards for fundraisers

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from fundraisers on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This includes:

- fundraisers that sell foods and beverages to students (refer to “[Definition of “sales” for Smart Snacks](#)” in this section);
- student orders for foods and beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of fundraiser foods and beverages to students on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- fundraisers where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section); and
- fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

State beverage requirements for fundraisers

The state beverage statute applies to all beverages available for sale to students from fundraisers on school premises **at all times**, including during and after the school day. This includes:

- fundraisers on school premises that sell beverages to students (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section);
- student orders for beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section);
- distribution of fundraiser beverages to students on school premises, if the foods and beverages have been ordered by students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- fundraisers where students can exchange tickets, coupons, tokens, and similar items for beverages on school premises, regardless of when the foods and beverages will be consumed (refer to “[Tickets, coupons, and tokens](#)” in this section); and
- fundraisers that give beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

The state beverage statute applies regardless of when students will receive or consume the beverages.

Fundraisers located at an event

If the board of education or school governing authority has voted to allow beverage exemptions, fundraisers could sell noncompliant beverages to students at an event on school premises that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could sell soft drinks to students during intermission. The sales cannot occur from vending machines or school stores. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for fundraisers” in this section).

Fundraisers that are events

Some fundraisers that sell beverages meet the definition of an event. Examples include spaghetti dinners, school carnivals, or basket raffle socials. For more examples of events, refer to [table 1-3](#).

If the board of education or school governing authority has voted to allow beverage exemptions, fundraisers that meet the definition of an event may sell noncompliant beverages to students. Examples include a spaghetti dinner, school carnival, or basket raffle social. Schools are encouraged to contact the CSDE for technical assistance to determine if a fundraiser meets the definition of an event.

Most fundraisers are not eligible for beverage exemptions because selling beverages is not an event. For example, a school club cannot sell soda to students after the school day because selling soda is not an event, and soda does not comply with the state beverage statute.



Other state requirements for fundraisers

In addition to the federal and state nutrition standards, fundraisers on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from fundraisers on school premises (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in section 1). They also apply to fundraisers that **are events** (refer to [“Fundraisers that are events”](#) in this section), and fundraisers **located at events on school premises that meet** the exemption criteria of the state beverage statute (refer to [“Fundraisers located at an event”](#) in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fundraisers selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** A fundraiser sells foods to students during the school day. The fundraiser must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to fundraisers that are events, and fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30

p.m., fundraisers cannot sell or distribute candy to students on school premises from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits sales of coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. Fundraisers on school premises cannot sell or distribute coffee, tea, and soft drinks to students unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Fundraisers located at an event](#)” and “[Fundraisers that are events](#)” in this section.
- **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from fundraisers on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales from fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section); sales of fundraiser tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; and student donations in exchange for compliant foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the fundraiser’s income from all foods and beverages available for sale to students on school premises from 6:30 a.m. to

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8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this fundraiser must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages sold to students from this fundraiser must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) fundraisers during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

- **Example 2:** The NSLP operates from 11:30 a.m. to 1:00 p.m. During this time, a fundraiser on school premises sells tickets that students can redeem for foods and beverages. The fundraiser will distribute the foods and beverages to students the next week during the school day. The nonprofit food service account must receive the fundraiser’s income from all tickets sold to students from 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can obtain with the tickets must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages that students can obtain with the tickets must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) fundraisers during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

The LEA’s school wellness policy may have additional local restrictions that address food and beverage fundraisers (refer to “[USDA School Wellness Policy](#)” in section 1).

Allowable procedures for fundraisers

Fundraisers that sell foods and beverages to students must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. These requirements also apply to orders for foods and beverages; and sales of tickets, coupons, tokens, and similar items that students can exchange for foods and beverages.

Foods that do not comply with the Smart Snacks nutrition standards can be sold to students **after** the school day, if the sales comply with the state competitive foods regulations. However, noncompliant beverage cannot be sold to students unless the sales occur at an event that meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” and “[Fundraisers located at an event](#)” in this section).

All fundraisers must comply with one of the procedures below.

1. **Compliant foods and beverages during the school day:** The fundraiser sells compliant foods and beverages to students on school premises during the school day. All foods available for sale to students from the fundraiser meet the Smart Snacks nutrition standards (refer to “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods](#)” in section 1). All beverages available for sale to students from the fundraiser meet the state beverage statute and the Smart Snacks nutrition standards (refer to “[Allowable Beverages](#)” in section 1). The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).
2. **Beverage sales at events:** The board of education has voted to allow beverage exemptions. The fundraiser sells noncompliant beverages to students at an **event** that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” and “[Fundraisers located at an event](#)” in this section). The sales and distribution of the beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).
3. **Beverage orders picked up on school premises by parents:** The fundraiser sells noncompliant beverages through a fundraising catalog or flier. Students take orders for noncompliant beverages off school premises and bring the orders and money to school. Students do **not** pick up the beverages on school premises. Parents or other

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adults pick up the beverages at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to [“Allowable procedures for fundraiser catalogs and orders”](#) in this section.

4. **Beverage orders picked up on school premises by students at events:** The fundraiser sells noncompliant beverages through a fundraising catalog or flier. Students take orders for noncompliant beverages off school premises and bring the orders and money to school. The board of education has voted to allow beverage exemptions. Students pick up the beverages at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to [“Beverage exemptions”](#) in section 1 and [“Fundraisers that are events”](#) and [“Fundraisers located at an event”](#) in this section). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. The sales and distribution of the beverages do not occur while any CNPs are operating (refer to [“State Competitive Foods Regulations”](#) in section 1).
5. **Sales off school premises:** The fundraiser sells noncompliant foods and beverages entirely off school premises, such as a bake sale at a supermarket. Students do not purchase the foods and beverages on school premises. Students do not bring fundraiser orders and money to school or pick up the foods and beverages at school for delivery to customers. For more information, refer to [“Fundraisers held off school premises”](#) in this section.
6. **Online sales:** Students order noncompliant foods and beverages from an online fundraiser. The fundraising company distributes the foods and beverages using any of the following methods: 1) mailing directly to customers; 2) e-mailing electronic gift cards to customers; or 3) distributing to schools for students to pick up and deliver to customers. For more information, refer to [“Online fundraiser orders”](#) in this section.
7. **Sales only to adults:** The fundraiser sells foods and beverages only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to [“Sales to adults”](#) in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

Fundraiser resources

The resources below provide additional information on the fundraiser requirements for non-HFC public schools.

- CSDE Operational Memorandum No. 11-15: Implementation of Smart Snacks in School: State Agency Fundraiser Elections and Exemptions:
<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2015/OM11-15.pdf>
- CSDE Operational Memorandum No. 30-14: Smart Snacks Nutrition Standards and Exempt Fundraisers
<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM30-14.pdf>
- Fundraisers and Smart Snacks: Foods Not Intended for Consumption at School:
<https://fns-prod.azureedge.net/sites/default/files/cn/fundraisersfactsheet.pdf>
- Healthy Fundraising:
<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/HealthyFundraising.pdf>
- Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools:
https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_NonHFC.pdf



Guidance for Different Types of Fundraisers

This section provides guidance on complying with the requirements for different types of fundraisers in non-HFC public schools. It summarizes when the federal and state nutrition standards (Smarts Snacks and the state beverage statute), the state statute for nutrition low-fat foods, and the state competitive foods regulations apply to the following fundraisers:

- bake sales;
- candy and gum;
- Tickets, coupons, and tokens;
- fundraiser catalogs and orders;
- fundraisers held off school premises; and
- gift cards and entertainment books;
- nonfood fundraisers;
- suggested donations for foods and beverages;
- timing of distribution and consumption.

The CSDE’s resource, [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#), summarizes the requirements for fundraisers in non-HFC public schools.

Bake sales

Bake sales that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. These standards do not apply when bake sales sell foods and beverages only to adults (such as teachers, staff, and parents) on school premises, or sell foods and beverages to students off school premises. For more information, refer to “[Sales to adults](#)” and “[Fundraisers held off school premises](#)” in this section.



Smart Snacks nutrition standards for bake sales

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from bake sales on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes bake sales where students can exchange purchased tickets for foods and beverages that will be consumed on school premises

during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section), and bake sales that request a donation in exchange for foods and beverages (refer to “[Suggested donations for foods and beverages](#)” in this section).

State beverage requirements for bake sales

The state beverage statute applies to all beverages available for sale to students from bake sales on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes bake sales where students can exchange purchased or free tickets for beverages, regardless of when the beverages will be consumed (refer to “[Tickets, coupons, and tokens](#)” in this section), and bake sales that request a donation in exchange for beverages (refer to “[Suggested donations for foods and beverages](#)” in this section).

Beverages available for sale to students from bake sales must **always** comply with the state beverage statute. Bake sales are not eligible for beverage exemptions because they do not meet the definition of an event.

Bake sales located at an event

If the board of education or school governing authority has voted to allow beverage exemptions, bake sales located at an event on school premises that occurs after the school day or on the weekend could sell noncompliant beverages to students (refer to “[Beverage exemptions](#)” in section 1). For example, a bake sale located at a school concert (event) in the evening (after the school day) could sell lemonade to students. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for bake sales” below).

Other state requirements for bake sales

In addition to the federal and state nutrition standards, bake sales on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from bake sales on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). They also apply to bake sales located at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Bake sales located at an event](#)” in this section).

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- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that bake sales selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** A bake sale sells foods to students on school premises during the school day). The bake sale must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale from this bake sale must comply the Smart Snacks nutrition standards because the sales occur during the school day. If the bake sale occurs while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits bake sales from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). This regulation also applies to bake sales located at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., a bake sale on school premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Bake sales on school premises cannot sell or distribute coffee, tea, and soft drinks to students unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the bake sale is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Bake sales located at an event”](#) in this section.

- **Giving candy, coffee, tea, and soft drinks:** Bake sales on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a bake sale cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from bake sales on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: bake sales located at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages at bake sales (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations in exchange for foods and beverages at bake sales (refer to “[Suggested donations for foods and beverages](#)” in this section).
- **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A bake sale sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the bake sale’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this bake sale must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students from this bake sale must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) bake sales are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.
- **Example 2:** The NSLP operates from 11:30 a.m. to 1:00 p.m. During this time, a fundraiser on school premises sells tickets that students can redeem for foods and beverages. The fundraiser will distribute the foods and beverages to students the next week during the school day. The nonprofit food service account must receive the fundraiser’s income from all tickets sold to students from 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can obtain with the tickets must comply with the Smart Snacks nutrition standards because the

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sales (orders) occur during the school day. All beverages that students can obtain with the tickets must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) bake sales are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

The LEA’s school wellness policy may have additional local restrictions for bake sales on school premises (refer to “[USDA School Wellness Policy](#)” in section 1).

Candy and gum

Entities that sell candy and gum (including sugar-free) to students on school premises must comply with the applicable federal and State beverage requirements for foods. Examples of candy include all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints. The [Federal Food, Drug, and Cosmetic Act](#) defines gum as a food.



Smart Snacks nutrition standards for candy and gum

The Smart Snacks nutrition standards prohibit sales of candy and regular gum to students during the school day. This also includes:

- fee-based programs and activities on school premises that include the cost of candy and gum provided to students during the school day (refer to “[Fee-based Programs and Activities](#)” in this section);
- student orders for candy and gum on school premises, if the candy and gum will be distributed to and consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” in this section);
- distribution of candy and gum to students on school premises, if the candy and gum have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” in this section);

- fundraisers, programs, and activities where students can exchange purchased tickets, coupons, tokens, and similar items for candy and gum on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) and [“Food rewards”](#) in this section); and
- fundraisers that give candy and gum to students in exchange for a suggested donation on school premises during the school day (refer to [“Suggested donations for foods and beverages”](#) in this section).

Sugar-free chewing gum is exempt from the Smart Snacks nutrition standards. However, sales of sugar-free chewing gum must comply with the other state requirements (refer to “Other state requirements for candy and gum” below).

Other state requirements for candy and gum

In addition to the federal and state nutrition standards, all sales of candy and gum to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, regardless of when students will receive or consume the candy or gum (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in section 1).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods (including gum) to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** A fundraiser sells sugar-free gum to students on school premises during the school day. The fundraiser must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution)

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anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates after the school day from 4:30 to 5:30 p.m., fundraisers on school premises cannot sell or distribute candy to students from 4:00 to 6:00 p.m.

- **Giving candy:** Fundraisers cannot give candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers on school premises cannot give candy to students in exchange for a suggested donation, or distribute candy to students, from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods (including candy and gum) sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: fee-based programs and activities on school premises that include the cost of candy and gum provided to students (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for candy and gum on school premises, if the candy and gum will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; sales of tickets on school premises that students can exchange for candy and gum on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations to fundraisers on school premises in exchange for candy and gum (refer to “[Suggested donations for foods and beverages](#)” in this section).

The examples below show how Section 10-215b-23 applies to gum sales. Schools will **never** have income from candy sales during the operation of CNPs because Section 10-215b-1 prohibits candy sales during CNPs.

- **Example 1:** The NSLP operates from 11:00 a.m. to 1:00 p.m. A fundraiser on school premises sells sugar-free gum to students during the school day. The nonprofit food service account must receive the fundraiser’s income from all gum sold to students from 10:30 a.m. to 1:30 p.m. **Note:** Regular gum does not meet the Smart Snacks nutrition standards and cannot be sold to students on school premise during the school day.

- **Example 2:** The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A fundraiser at a soccer game on school premises sells regular and sugar-free gum to students from 4:30 p.m. to 6:30 p.m. The nonprofit food service account must receive the fundraiser's income from all gum sold to students from 4:00 p.m. to 6:30 p.m.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

The LEA's school wellness policy may have additional local restrictions for selling and giving candy and gum to students on school premises (refer to “[USDA School Wellness Policy](#)” in section 1).

Fundraiser catalogs and orders

Fundraiser catalogs and orders must comply with the applicable federal and state nutrition standards. Students exchanging money (including orders) for foods and beverages on school premises and receiving the foods and beverages on school premises is the same as selling foods and beverages to students, regardless of when students will receive or consume the foods and beverages. “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. The federal and state nutrition standards have different requirements for fundraiser catalogs and orders.

Smart Snacks nutrition standards for fundraiser catalogs and orders

If the foods and beverages are **not** intended to be consumed by students on school premises during the school day, the Smart Snacks nutrition standards do not apply to foods and beverages that are 1) sold off school premises through fundraising catalogs, fliers, and similar promotions; and 2) distributed to students on school premises. Examples include products distributed on school premises in a precooked state, such as frozen cookie dough, frozen pies, and frozen pizza; and products distributed on school premises in bulk quantities (multiple servings per package), such as boxes or bags of candy bars, Girl Scout cookies, popcorn, tea bags, hot chocolate packets, and bags of gourmet coffee.

The USDA encourages organizations to deliver foods and beverages at a time when parents and caregivers are more likely to be present to collect them, for example, during specific drop-off or pick-up times.

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However, fundraiser catalogs and orders must comply with the stricter requirements of Connecticut's state statutes and competitive foods regulations (refer to "[Other state requirements for fundraiser catalogs and orders](#)" in this section).

State beverage requirements for fundraiser catalogs and orders

The state beverage statute applies when students exchange money (including orders) for beverages on school premises at any time, including during and after the school day, regardless of when students will receive or consume the beverages. The state beverage statute also applies to student orders for beverages from fundraising catalogs, fliers, and similar promotions on school premises.

Under Connecticut's statutes and competitive foods regulations, **exchanging money for foods and beverages on school premises** is the same as selling foods and beverages to students. The state statutes and regulations apply to fundraiser orders when students 1) sell foods and beverages off school premises; 2) deliver the fundraiser orders and money to school; and 3) pick up the foods and beverages at school for delivery to customers.

Online fundraiser orders

The federal and state nutrition standards do not apply to fundraisers where customers pay online and the foods and beverages are 1) distributed directly to customers; or 2) distributed to students on school premises to deliver to customers. These types of fundraisers are **not** selling foods and beverages to students on school premises.



Fundraiser catalogs and orders at events

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be ordered by and distributed to students at the location of an event that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). For example, students could order or pick up bags of gourmet coffee from a fundraiser catalog at a school concert (event) in the evening (after the school day). However, if the event occurs while any CNPs are operating, additional restrictions apply.

Exchanging money for beverages on school premises is not an event, and is not eligible for beverage exemptions under the state HFC statute. Fundraisers cannot collect money for orders of beverages on school premises and distribute the beverages to students on school premises unless 1) the beverages comply with the state beverage statute; or 2) the orders and distribution occur at an event after the school day or on the weekend. For more information, refer to “[Sales to Students](#)” and “[Timing of distribution and consumption](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1.

Other state requirements for fundraiser catalogs and orders

In addition to the federal and state nutrition standards, fundraisers on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to student orders for foods and beverages, and distribution of foods and beverages to students, at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when fundraisers distribute orders of foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** During the school day, students place orders for foods from a fundraiser catalog. These foods are not intended to be consumed by students on school premises during the school day. Two weeks later, the fundraising organization distributes the foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when the fundraising organization **distributes** the food orders to students, either at the location of the distribution or elsewhere on school

premises at the same time. If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply. **Note:** The Smart Snacks nutrition standards do not apply because these fundraiser foods are not intended to be consumed by students on school premises during the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders (selling) and distribution of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., students cannot order or receive candy from a fundraiser on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits sales of coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. This includes fundraisers where students bring money (orders) for coffee, tea, and soft drinks) to school, and pick up these beverages at school for distribution to customers. Students cannot order and receive coffee, tea, and soft drinks on school premises unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the orders and distribution are at the location of an event that occurs after the school day or on the weekend; or the orders are on school premises but the distribution is to parents or other adults on school premises, or students off school premises; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Fundraiser catalogs and orders at events”](#) in this section.

- **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from fundraisers on school premises (including orders for foods and beverages) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from orders of foods and beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Students order and pay for foods from a fundraiser on school premises during the meal periods. The fundraiser will deliver the foods to students on school premises at a future date. The nonprofit food service account must receive the fundraiser’s income from all student orders between 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

Note: All foods available for sale to students from the fundraiser must comply with the Smart Snacks nutrition standards because the sales occur during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Allowable procedures for fundraiser catalogs and orders

Sales from fundraiser catalogs must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. Under the state statutes and competitive foods regulations, the exchange of orders and money for foods and beverages on school premises is the same as selling foods and beverages to students on school premises, regardless of when the foods and beverages will be distributed or consumed.

Students can order foods that do not comply with the Smart Snacks nutrition standards **after** the school day, if the sales comply with C.G.S. Section 10-221p and the state competitive foods regulations. However, students cannot order noncompliant beverages unless the sales occur at an event that meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

All sales from fundraiser catalogs must comply with one of the procedures below.

1. **Compliant foods and beverages during the school day:** Students order compliant foods and beverages from a fundraiser on school premises during the school day. All foods available for sale to students from the fundraiser meet the Smart Snacks nutrition standards (refer to “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods](#)” in section 1). All beverages available for sale to students from the fundraiser meet the state beverage statute and the Smart Snacks nutrition standards (refer to “[Allowable Beverages](#)” in section 1). The fundraiser delivers the foods and beverages to students on school premises at a future date, either during or after the school day. The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1). If the fundraiser foods are distributed to students during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time of the distribution (refer to “[Other state requirements for fundraiser catalogs and orders](#)” in this section).
2. **Beverage sales at events:** The board of education has voted to allow beverage exemptions. Students order noncompliant beverages from a fundraiser at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). The fundraiser delivers the beverages to students on school premises at a future date, either during or after the school day. The sales and

distribution of the beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).

3. **Beverage orders picked up by parents:** The fundraiser sells noncompliant beverages through a fundraising catalog or flier. Students take orders for noncompliant beverages off school premises and bring the orders and money to school. Students do **not** pick up the beverages on school premises. Parents or other adults pick up the beverages at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs.
4. **Beverage orders picked up by students at events:** The fundraiser sells noncompliant beverages through a fundraising catalog or flier. Students take orders for noncompliant beverages off school premises and bring the orders and money to school. The board of education has voted to allow beverage exemptions. Students pick up the beverages at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. The sales and distribution of the beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).
5. **Orders off school premises:** Students order noncompliant foods and beverages from a fundraiser off school premises. The fundraiser delivers the foods and beverages to students at a future date, either on or off school premises, and during or after the school day. For more information, refer to “[Fundraisers held off school premises](#)” in this section.
6. **Online orders:** Students order noncompliant foods and beverages from an online fundraiser. The fundraising company distributes the foods and beverages using any of the following methods: 1) mailing directly to customers; 2) e-mailing electronic gift cards to customers; or 3) distributing to schools for students to pick up and deliver to customers. For more information, refer to “[Online fundraiser orders](#)” in this section.
7. **Sales only to adults:** The fundraiser sells foods and beverages only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to “[Sales to adults](#)” in this section.

When students take orders for noncompliant beverages off school premises and bring the orders and money to school, the fundraiser must follow the procedures below to comply with Connecticut's statutes and regulations for competitive foods.

1. Students bring the fundraiser orders and money to school.
2. The distribution of the fundraiser beverages complies with one of the following procedures: a) parents or other adults pick up the beverages on school premises; b) students pick up the beverages at an event on school premises that occurs after the school day or on the weekend, when CNPs are not operating; or c) the pick-up location for the beverages is off school premises.
3. The district's pick-up policy for beverages is clearly indicated on the school's fundraising flier and any written communication regarding the fundraiser.

Fundraisers held off school premises

The federal and state nutrition standards (Smart Snacks and the state beverage statute), the state statute for nutritious low-fat foods, and the state competitive foods regulations do not apply to fundraising activities that take place off school premises, such as bake sales at a supermarket or candy bar sales at a town community center. However, the state statutes and regulations apply when students sell foods and beverages off school premises, deliver fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to customers. Under Connecticut's statutes and competitive foods regulations, students exchanging money (orders) for foods and beverages on school premises is the same as selling foods and beverages to students. For more information, refer to "[Fundraiser catalogs and orders](#)" and "[Sales to Students](#)" in this section.

Gift cards and entertainment books

Fundraisers cannot sell noncompliant foods and beverages to students on school premises, including food and beverage gift cards or entertainment books with food and beverage coupons. Sales of gift cards and entertainment books to students on school premises must comply with the applicable federal and state nutrition standards. The federal and state nutrition standards have different requirements for gift cards and similar items.

Smart Snacks nutrition standards for gift cards and entertainment books

The Smart Snacks nutrition standards apply when students purchase gift cards, coupons, and similar items that are redeemable for foods and beverages, and the foods and beverages are

intended to be consumed by students on school premises during the school day. The Smart Snacks nutrition standards do **not** apply to gift cards and entertainment books that:

- are **given** to students, such as food rewards;
- can be exchanged for foods and beverages that are **not** intended to be consumed by students on school premises during the school day, such as frozen pies, boxes of cookies, and bags of coffee; or
- can be redeemed for foods and beverages at businesses **off school premises**, such as restaurants, convenience stores, fast food chains, coffee shops, and local dining establishments.

For more information, refer to “[Definition of “sales” for Smart Snacks](#)” in this section.

State beverage requirements for gift cards and entertainment books

Selling gift cards and entertainment books on school premises that students can exchange for beverages is the same as selling beverages to students, regardless of where or when students can exchange them. “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. For more information, refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section

The state beverage statute applies **at all times** (including during and after the school day) to:

- sales of gift cards and entertainment books on school premises that students can redeem for beverages **on school premises**; and
- sales of gift cards and entertainment books on school premises that students can redeem for beverages at businesses **off school premises**, such as restaurants, convenience stores, fast food chains, coffee shops, and local dining establishments; excluding supermarket gift cards (refer to “[Supermarket gift cards](#)” in this section).

The state beverage statute applies regardless of when students will receive or consume the beverages. For more information, refer to “[Sales to Students](#),” “[Timing of distribution and consumption](#),” and “[Fundraiser catalogs and orders](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1.



Selling entertainment books that students can exchange for beverages is the same as selling beverages to students, regardless of when or where students can exchange them. Entertainment books that can be redeemed for noncompliant beverages cannot be sold to student on school premises. To comply with the state statutes and competitive foods regulations, sales of entertainment books must follow allowable procedures. For more information, refer to [“Allowable procedures for selling gift cards and entertainment books”](#) in this section.

Gift cards and entertainment books at events

If the board of education or school governing authority has voted to allow beverage exemptions, gift cards and entertainment books with coupons that can be redeemed for noncompliant beverages could be sold to (or ordered by) students and distributed to students at the location of an event that occurs after the school day or on the weekend (refer to [“Beverage exemptions”](#) in section 1). For example, a fundraiser could sell beverage gift cards to students at a school fair (event) on school premises in the evening (after the school day); and students could redeem these gift cards for soft drinks at this event. If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for gift cards and entertainment books”](#) below).

Other state requirements for gift cards and entertainment books

In addition to the federal and state nutrition standards, gift cards and entertainment books must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to sales of gift cards and entertainment books to students at events, and gift cards and entertainment books used to obtain foods and beverages from fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute (refer to [“Fundraisers located at an event”](#) in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day (including gift cards and entertainment books that can be exchanged for foods) must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1).
 - **Example:** A school organization sells gift cards that students can exchange for foods on school premises during the school day. Low-fat dairy products and

fresh or dried fruit must be available for purchase when students can **exchange** the gift cards for foods, either at the same location or elsewhere on school premises at the same time. **Note:** All foods that students can obtain with these gift cards must comply with the Smart Snacks nutrition standards because the gift cards can be exchanged for foods during the school day. If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits gift cards and entertainment books that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit sales of gift cards that students can exchange for candy, if the candy is intended to be consumed by students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including gift cards that can be exchanged for candy) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates after the school day from 4:30 to 5:30 p.m., gift cards that can be exchanged for candy, coffee, tea, and soft drinks cannot be purchased or exchanged by students anywhere on school premises from 4:00 to 6:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot purchase gift cards and entertainment books on school premises that can be exchanged for coffee, tea, and soft drinks unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the gift cards and entertainment books are purchased or exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Gift cards and entertainment books at events](#)” in this section.

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- **Giving candy, coffee, tea, and soft drinks:** Gift cards and entertainment books that can be exchanged for candy, coffee, tea, and soft drinks cannot be given or distributed to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. In addition, students cannot exchange gift cards and similar items for candy, coffee, tea, and soft drinks on school premises during this time. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., gift cards that can be exchanged for candy, coffee, tea, and soft drinks cannot be given or distributed to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all gift cards and similar items that can be exchanged for foods and beverages and are sold to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of gift cards and similar items that can be redeemed for foods and beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section).
 - **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser sells food gift cards to students on school premises during the school day. The gift cards can be redeemed for foods on school premises during the school day. The nonprofit food service account must receive the income from all gift cards sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can obtain with these gift cards must comply with the Smart Snacks nutrition standards because the gift cards can be exchanged for foods on school premises during the school day.
 - **Example 2:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser sells food gift cards to students on school premises during the school day. The gift cards can be redeemed for foods off school premises. The nonprofit food service account must receive the income from all gift cards sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** The Smart Snacks nutrition standards do not apply because the gift cards can be exchanged for foods off school premises.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Allowable procedures for fundraisers selling gift cards and entertainment books

Fundraisers that sell gift cards or entertainment books must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. Under the state statutes and competitive foods regulations, selling food and beverage gift cards or entertainment books to students on school premises is the same as selling foods and beverages to students on school premises, regardless of when or where students can exchange them.

The Smart Snacks nutrition standards do not apply to sales of gift cards or entertainment books that can be exchanged for 1) foods and beverages off school campus; or 2) foods and beverages on school campus that are not intended to be consumed by students during the school day. However, these sales must still comply with C.G.S. Section 10-221p and the state competitive foods regulations. In addition, fundraisers cannot sell beverage gift cards or entertainment books with beverage coupons to students unless the sales occur at an event that meets the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

Fundraisers selling gift cards and entertainment books must follow one of the procedures below.

1. **Compliant foods and beverages during the school day:** The fundraiser sells gift cards or entertainment books to students on school premises during the school day. All foods that can be obtained with the gift cards or entertainment books meet the Smart Snacks nutrition standards (refer to “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods](#)” in section 1). All beverages that can be obtained with the gift cards or entertainment book coupons meet the state beverage statute and the Smart Snacks nutrition standards (refer to “[Allowable Beverages](#)” in section 1). The fundraiser does not sell the gift cards or entertainment books while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1). Students do not exchange the gift cards or entertainment book coupons for foods and beverages while any CNPs are operating. If the gift cards or entertainment books are exchanged by students for

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foods on school premises during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time the foods are distributed (refer to “[Other state requirements for gift cards and entertainment books](#)” in this section).

2. **Beverage sales at events:** The board of education has voted to allow beverage exemptions. Gift cards or entertainment books that can be exchanged for noncompliant beverages are sold to students from a fundraiser at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). The sales and distribution of the gift cards or entertainment books do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).
3. **Beverage orders picked up by parents:** The fundraiser sells gift cards or entertainment books that can be exchanged for noncompliant beverages. Students take orders for gift cards or entertainment books off school premises and bring the orders and money to school. Students do **not** pick up the gift cards or entertainment books on school premises. Parents or other adults pick up the gift cards or entertainment books at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to “[Allowable procedures for fundraiser catalogs and orders](#)” in this section.
4. **Beverage orders picked up by students at events:** The fundraiser sells gift cards or entertainment books that can be exchanged for noncompliant foods and beverages. Students sell the gift cards or entertainment books off school premises and bring the orders and money to school. The board of education has voted to allow beverage exemptions. Students pick up the gift cards or entertainment books at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). The sales and distribution do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to “[Gift cards and entertainment books at events](#)” in this section.
5. **Sales off school premises:** The fundraiser sells gift cards or entertainment books to students off school premises. Students redeem the gift cards or entertainment book coupons for foods and beverages, either on or off school premises. For more information, refer to “[Fundraisers held off school premises](#)” in this section.

6. **Online sales:** Gift cards or entertainment books that can be exchanged for noncompliant foods and beverages are sold to students online. The fundraising company distributes the gift cards or entertainment books using any of the following methods: 1) mailing directly to customers; 2) emailing as electronic gift cards; or 3) distributing to schools for students to deliver to customers. For more information, refer to “[Online fundraiser orders](#)” in this section.
7. **Sales to adults:** The fundraiser sells gift cards or entertainment books only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to “[Sales to adults](#)” in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

Nonfood fundraisers

The federal and state requirements for competitive foods do not apply to fundraisers that sell nonfood items. Any requirements for sales of nonfood items to students are locally determined by the LEA. The CSDE strongly encourages schools to promote consistent health messages to students by conducting nonfood fundraisers. The CSDE’s resource, [Healthy Fundraising](#), provides suggestions for fundraising with nonfood items and activities.

Suggested donations for foods and beverages

Suggesting a student donation in exchange for foods and beverages is the same as selling foods and beverages to students. An example is a fundraiser that offers students a cookie for donating to a charity, school organization, or similar entity. For more information, refer to “[Sales to Students](#)” in this section.



The Smart Snacks nutrition standards apply to all foods and beverages given to students in exchange for a suggested donation on school premises **during the school day**. The state beverage statute applies to all foods and beverages offered to students in exchange for a suggested donation on school premises **at all times**, including during and after the school day.

The state beverage statute prohibits fundraisers on school premises from giving noncompliant foods and beverages to students in exchange for a suggested donation. These fundraisers are not eligible for beverage exemptions because they do not meet the definition of an event.

Suggested donations for foods and beverages at events

If the board of education or school governing authority has voted to allow beverage exemptions, fundraisers could give noncompliant beverages to students in exchange for a suggested donation at the location of an event that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could offer hot chocolate to students in exchange for a suggested donation to a charity. For more information, refer to “[Fundraisers located at an event](#)” in this section. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for suggested donations for foods and beverages” below).

Other state requirements for suggested donations for foods and beverages

In addition to the federal and state nutrition standards, fundraisers that offer foods and beverages to students in exchange for a suggested donation must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fundraisers on school premises that offer foods to students in exchange for a suggested donation during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** A fundraiser on school premises during the school day offers students a cookie for donating money to a charity. Low-fat dairy products and fresh or dried fruit must also be available for sale from the fundraiser or elsewhere on school premises at the same time. **Note:** The cookie must comply with the Smart Snacks nutrition standards because these standards apply to all food sales during the school day (including foods provided in exchange for a suggested donation). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from giving candy, coffee, tea, or soft drinks to students in exchange for a suggested donation anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). This regulation also applies to fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit fundraisers from giving candy to students in exchange for a suggested donation on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Offering candy in exchange for a suggested donation is the same as selling candy to students. For example, if the At-risk Afterschool Meals program operates after the school day from 4:30 to 5:30 p.m., fundraisers cannot give candy to students in exchange for a suggested donation from 11:00 a.m. to 1:30 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits sales of coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. Offering beverages in exchange for a suggested donation is the same as selling beverages to students. Fundraisers on school premises cannot give coffee, tea, and soft drinks to students in exchange for a suggested donation unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Suggested donations for foods and beverages at events”](#) and [“Candy and gum at events”](#) in this section.
 - **Giving candy, coffee, tea, and soft drinks:** Fundraisers on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students in exchange for a suggested donation from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers on school premises cannot give candy, coffee, tea, and soft drinks to students in exchange for a suggested donation from 11:00 a.m. to 1:30 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the fundraiser's income from all student donations (sales) in exchange for foods and beverages from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from student donations in exchange for foods and beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to "[Fundraisers located at an event](#)" in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises during the school day offers students a cookie for donating money to a charity. The nonprofit food service account must receive the fundraiser's income from all student donations offered in exchange for cookies from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** The cookie must comply with the Smart Snacks nutrition standards because the suggested donations occur during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations](#)" in section 1.

Tickets, coupons, and tokens

Fundraisers on school premises that sell tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages must comply with the applicable federal and state nutrition standards. Selling food and beverage tickets and similar items is the same as selling foods and beverages to students. "Sales"

means the exchange of a determined amount of money or its equivalent, (such as coupons, tickets tokens, and similar items) for foods and beverages. The federal and state nutrition standards have different requirements for coupons, tickets, tokens, and similar items.



Smart Snacks nutrition standards for tickets, coupons, and tokens

The Smart Snacks nutrition standards apply to all tickets, coupons, tokens, and similar items that students **purchase** and can exchange for foods and beverages on school premises **during the school day**. They do not apply to tickets and similar items that are given to students, such as food rewards; or that can be exchanged for beverages that are not intended to be consumed by students on school premises during the school day, such as bags of coffee or boxes of tea. For more information, refer to "[Definition of "sales" for Smart Snacks](#)" in this section.

State beverage requirements for tickets, coupons, and tokens

The state beverage statute applies **at all times** to **purchased and free** tickets, coupons, tokens, and similar items that students can exchange for beverages on school premises, including during and after the school day. The state beverage statute applies regardless of when students will receive or consume the beverages.

- **Example 1:** On Monday during the school day, a school club sells tickets to students on school premises. On Friday after the school day, students can exchange the tickets for foods and beverages on school premises. The beverages must comply with the state beverage (refer to “[Allowable Beverages](#)” in section 1). The Smart Snacks nutrition standards do not apply because students obtain the beverages after the school day. If the ticket sales occur from 30 minutes before up through 30 minutes after the operation of any CNPs, Section 10-215b-23 of the state competitive foods regulations requires that the income must accrue to the nonprofit food service account (refer to “[Section 10-215b-23: Accrual of income](#)” in section 1).
- **Example 2:** Students purchase coupons on school premises that can be exchanged for foods and beverages in the school store during the school day. The foods must comply with Smart Snacks (refer to “[Allowable Foods](#)” in section 1). The beverages must comply with the state beverage statute and Smart Snacks (refer to “[Allowable Beverages](#)” in section 1). If the coupon sales occur from 30 minutes before up through 30 minutes after the operation of any CNPs, Section 10-215b-23 of the state competitive foods regulations requires that the income must accrue to the nonprofit food service account (refer to “[Section 10-215b-23: Accrual of income](#)” in section 1).
- **Example 3:** During the school day, a teacher rewards students with a coupon that student can exchange for beverages on school premises after the school day. The beverages must comply with the state beverage statute (refer to “[Allowable Beverages](#)” in section 1). The Smart Snacks nutrition standards do not apply because students obtain the beverages after the school day.

Using food as a reward has many negative consequences that go far beyond the short-term benefits of good behavior or performance. The CSDE strongly encourages schools to promote consistent health messages to students by eliminating food rewards. For more information, refer to the CSDE’s resource, [Alternatives to Food Rewards](#).

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For more information, refer to “[Definition of “sales” for Connecticut statutes and regulations](#),” “[Fundraiser catalogs and orders](#),” and “[Timing of distribution and consumption](#)” in this section.

Beverage tickets, coupons, and tokens at events

If the board of education or school governing authority has voted to allow beverage exemptions, students could purchase and exchange tickets or similar items for noncompliant beverages at an event on school premises that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1).

- **Example 1:** A student club sells tickets for soft drinks at a school fair (event) on school premises in the evening (after the school day). Students exchange the tickets for soft drinks at the school fair.
- **Example 2:** A fundraiser on school premises sells tickets during the school day that students can exchange for cookies and soft drinks at a dance (event) in the high school gym starting at 7:00 p.m. (after the school day).

If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for tickets, coupons, and tokens” below).

Other state requirements for tickets, coupons, and tokens

In addition to the federal and state nutrition standards, purchased and free tickets and similar items that students can exchange for foods and beverages on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of tickets and similar items that students can use to obtain foods and beverages on school premises. They also apply to apply to tickets that students can use to obtain foods and beverages from fundraisers that **are** events (refer to “[Fundraisers that are events](#)” in this section), and tickets that that students can use to obtain foods and beverages from fundraisers located **at events on school premises that meet** the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day (including the exchange of tickets and similar items for foods) must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).

- **Example:** A student club sells tickets to students on school premises during the school day. Students can exchange the tickets for ice cream on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when students **exchange** the tickets, either from the student club or elsewhere on school premises at the same time.
Note: The ice cream must comply with the Smart Snacks nutrition standards because the sale of tickets and exchange of tickets for ice cream occurs during the school day. If the ticket sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students and exchanged by students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to tickets and similar items that can be purchased by, given to, or exchanged by students at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including tickets or similar items that can be exchanged for candy) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., fundraisers on school premises cannot sell candy tickets to students, and students cannot exchange tickets for candy, from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot purchase or exchange tickets or similar items for coffee, tea, and soft drinks anywhere on school premises, unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the tickets or similar items that can be purchased and exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Tickets, coupons, and tokens at events](#)” in this section.

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- **Giving candy, coffee, tea, and soft drinks:** Tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., entities on school premises cannot give students tickets or similar items for candy, coffee, tea, and soft drinks (and students cannot exchange tickets or similar items for candy, coffee, tea, and soft drinks) from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods** requires that the nonprofit food service account must receive the income from sales of food and beverage tickets to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises sells food tickets to students during the meal periods. The nonprofit food service account must receive the fundraiser's income from all tickets sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can purchase with the tickets must comply with the Smart Snacks nutrition standards because the ticket sales occur during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Allowable procedures for fundraisers selling tickets, coupons, and tokens

Fundraisers that sell tickets or similar items that students can exchange for foods and beverages must comply with the applicable federal and state nutrition standards, state statutes for foods and beverages, and competitive foods regulations. Under the state statutes and competitive foods regulations, selling food and beverage tickets or similar items on school premises is the same as selling foods and beverages to students on school premises, regardless of when or where students can exchange them.

Tickets and similar items that students can exchange for noncompliant foods and beverages on school premises cannot be sold to students during the school day. In addition, the state beverage statute and state competitive foods regulations require additional restrictions for ticket sales after the school day.

Fundraisers that sell tickets or similar items must follow one of the procedures below.

1. **Compliant foods and beverages:** The fundraiser sells tickets to students on school premises during or after the school day. All foods that can be obtained with the tickets meet the Smart Snacks nutrition standards (refer to “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods](#)” in section 1). All beverages that can be obtained with the tickets meet the state beverage statute (refer to “[Allowable Beverages](#)” in section 1). If the fundraiser occurs during the school day, the beverages also meet the Smart Snacks nutrition standards. The fundraiser does not sell the tickets while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1). Students do not exchange the tickets for foods and beverages while any CNPs are operating. If the fundraiser foods are distributed to students during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time of the distribution (refer to “[Other state requirements for tickets, coupons, and tokens](#)” in this section).
2. **Beverage sales at events:** The board of education has voted to allow beverage exemptions. The fundraiser sells tickets for noncompliant beverages to students at an **event** on school premises that meets the exemption criteria of the state beverage statute, i.e., the sales occur after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). Students redeem the beverage tickets at the event. The sales and distribution do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations](#)” in section 1).
3. **Sales off school premises:** The fundraiser sells tickets for noncompliant foods and beverages to students off school premises. Students redeem the food and beverage tickets either on or off school premises. For more information, refer to “[Fundraisers held off school premises](#)” in this section.
4. **Sales to adults:** The fundraiser sells tickets only to adults (such as teachers, school staff, and parents), either on or off school premises. For more information, refer to “[Sales to adults](#)” in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

Timing of distribution and consumption

Fundraisers sometimes sell foods and beverages at a different time from when they will be distributed or consumed. For example, students order and pay for the foods and beverages, then receive the products several weeks later. The federal and state requirements have different restrictions for these types of fundraisers.

Smart Snacks nutrition standards for timing and distribution

The Smart Snacks nutrition standards apply to all student orders for foods and beverages that are distributed to, and intended to be consumed by, students on school premises **during the school day**. They do not apply to foods and beverages intended for consumption at home. Examples include products distributed on school premises in a precooked state (such as frozen cookie dough, frozen pies, and frozen pizza), and products that are distributed on school premises in bulk quantities, i.e., multiple servings per package (such as boxes or bags of candy bars, Girl Scout cookies, popcorn, tea bags, hot chocolate packets, and bags of gourmet coffee).

State beverage requirements for timing and distribution

The state beverage statute applies to all beverages available for sale to students from fundraisers on school premises **at all times**, including during and after the school day, regardless of when students will receive or consume the beverages (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). Examples include products distributed on school premises in bulk quantities, such as boxes of tea bags, boxes of hot chocolate packets, and bags of gourmet coffee.

Fundraiser orders and distribution of beverages to students on school premises must **always** comply with the state beverage statute, unless they occur at the location of an event on school premises (refer to [“Fundraisers located at an event”](#) in this section). Ordering and distributing beverages from fundraisers is not an event and is therefore ineligible for beverage exemptions under the state beverage statute. For more information, refer to [“Fundraiser catalogs and orders”](#) and [“Tickets, coupons, and tokens”](#) in this section.

The examples below show how the federal and state nutrition standards apply to the timing of distribution and consumption of fundraiser foods and beverages.

- **Example 1:** A school club cannot sell tickets to students on Monday for hot chocolate that will be distributed to students on school premises during the school day on Friday. Hot chocolate does not comply with the state beverage statute or Smart Snacks nutrition standards. The ticket sales are not eligible for beverage exemptions because they do not occur at the location of an event held after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1).
- **Example 2:** A school organization cannot take orders from students for holiday “candy grams” that will be distributed to students on school premises during the school day. Candy does not comply with the Smart Snacks nutrition standards and cannot be sold or distributed to students during the school day.
- **Example 3:** A fundraiser cannot distribute orders of doughnuts to students on school premises during the school day, unless the doughnuts comply with the Smart Snacks nutrition standards. Most doughnuts do not comply with the Smart Snacks nutrition standards.



Other state requirements for timing of distribution and consumption

In addition to the federal and state nutrition standards, fundraisers where foods and beverages are ordered by or distributed to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when fundraisers distribute orders of foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** Students order foods from a fundraiser on school premises during the school day. These foods are intended for consumption by students on school premises during the school day. When the foods arrive, the fundraising organization distributes them to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for

purchase when the fundraising organization **distributes** the foods to students, either at the location of the distribution or elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this fundraiser must comply with the Smart Snacks nutrition standards because the food orders and distribution occur on school premises during the school day. If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders and distribution of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., students cannot order candy from a fundraiser on school premises (and candy cannot be distributed to students from a fundraiser on school premises) from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot order coffee, tea, and soft drinks from a fundraiser on school premises (and coffee, tea, and soft drinks cannot be distributed to students from a fundraiser on school premises) unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the coffee, tea, and soft drinks are ordered or distributed at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Fundraiser catalogs and orders at events](#)” in this section.
 - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of

any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from fundraisers on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: orders for foods and beverages (refer to “[Fundraiser catalogs and orders](#)” in this section; orders for foods and beverages at events that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations in exchange for foods and beverages (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a fundraiser on school premises takes orders from students for foods and beverages that will be distributed to students at a future date for consumption on school premises. The nonprofit food service account must receive the fundraiser’s income from all orders from students during 6:30 a.m. to 8:30 a.m. and 10:30 a.m. to 12:30 p.m. **Note:** All foods available for sale to students from this fundraiser must comply with the Smart Snacks nutrition standards because the sales (orders) occur during the school day. All beverages available for sale from this fundraiser must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) sales (orders) during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages sold to (ordered by) students on school premises during the school day.

For more information, refer to “[Fundraisers located at an event](#),” “[Tickets, coupons, and tokens](#),” “[Fundraiser catalogs and orders](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section. For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Interschool Agreements

When a school district or school provides another district or school with reimbursable meals or snacks through the CNPs, the providing sponsor and recipient school must enter into an interschool agreement.

- A “providing sponsor” is a district or school that sells USDA meals or snacks to another district or school, and maintains its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.
- A “recipient school” is a district or school that receives USDA meals or snacks from a providing sponsor. It does not maintain its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.

For information on interschool agreements, visit the “[Interschool Agreements](#)” section of the CSDE’s “[Forms for School Nutrition Programs](#)” webpage.

Smart Snacks nutrition standards for recipient schools

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students on school premises **during the school day**. This includes:

- all entities that sell foods and beverages to students on school premises (refer to “[Definition of “sales” for Smart Snacks](#)” in this section);
- fee-based programs and activities on school premises that include the cost of foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section);
- programs and activities on school premises where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for foods and beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of fundraiser foods and beverages to students on school premises, if the foods and beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section); and
- fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

State beverage requirements for recipient schools

The state beverage statute applies to all beverages (including beverages sold as part of reimbursable meals and separately from reimbursable meals) available for sale to students on school premises **at all times**, including during and after the school day, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. This includes:

- all entities that sell beverages to students on school premises (refer to [Definition of “sales” for Connecticut statutes and regulations](#)” in this section);
- fee-based programs and activities on school premises that include the cost of beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- programs and activities where students can exchange tickets, coupons, tokens, and similar items for beverages on school premises, regardless of when the foods and beverages will be consumed (refer to [“Tickets, coupons, and tokens”](#) in this section);
- student orders for beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of beverages to students on school premises, if the beverages have been ordered by students on school premises (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section); and
- fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

The state beverage statute applies regardless of when students will receive or consume the beverages.

Sales at events in recipient schools

If the recipient school’s board of education or governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at an event on school premises that occurs after the school day or on the weekend (refer to [“Beverage exemptions”](#) in section 1). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could sell lemonade to students (refer to [“Fundraisers located at an event”](#) in this section). If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for recipient schools”](#) below).

Other state requirements for recipient schools

In addition to the federal and state nutrition standards, foods and beverages in recipient schools must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). They also apply to fundraisers that **are** events (refer to “[Fundraisers that are events](#)” in this section), and fundraisers located **at events on school premises that meet** the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when recipient schools sell foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, either at the same location or elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** A fundraiser on school premises sells foods to students during the school day. The fundraiser must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this fundraiser must comply with the Smart Snacks nutrition standards because the sales occur during the school day. If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits recipient schools from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30

p.m., candy cannot be sold to students, ordered by students, or distributed to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Recipient schools cannot sell or distribute coffee, tea, and soft drinks to students anywhere on school premises unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the sale is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Sales at events in recipient schools](#)” in this section.
- **Giving candy, coffee, tea, and soft drinks:** Recipient schools cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., recipient schools cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from: sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers that are events](#)” and “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); program fees charged to cover the cost of foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; and student donations in exchange for foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. An organization sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the organization’s income from all foods and beverages

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sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this organization must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students from this organization must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

Meetings

Meetings that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of groups that might conduct meetings for students on school premises include student organizations and clubs, parent-teacher organizations, and school programs.

Smart Snacks nutrition standards for meetings

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from meetings on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section. This also includes fee-based meetings that include the cost of foods and beverages provided to students during practices (refer to “[Fee-based Programs and Activities](#)” in this section), and meetings where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

- **Example 1:** The school day ends at 3:00 p.m. A fee-based meeting from 2:00 p.m. to 3:30 p.m. on school premises includes the cost of foods and beverages provides to students. The Smart Snacks nutrition standards apply because students receive the foods and beverages **before** the end of the school day.
- **Example 2:** The school day ends at 3:00 p.m. A fee-based meeting from 3:30 p.m. to 5:00 p.m. on school premises includes the cost of foods and beverages provides to students. The Smart Snacks nutrition standards do **not** apply because students receive the foods and beverages **after** the end of the school day.



State beverage requirements for meetings

The state beverage statute applies to all beverages available for sale to students from meetings on school premises at **all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based meetings that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and meetings where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from meetings on school premises must **always** comply with the state beverage statute. Meetings are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for meetings

In addition to the federal and state nutrition standards, meetings on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from meetings from on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that meetings selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** The school day ends at 3:00 p.m. A meeting sells foods and beverages to students on school premises before 3:30 p.m. (during the school day). Up through 3:00 p.m., the meeting must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this meeting must comply with the state beverage statute because meetings are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1). Up through 3:30 p.m., all foods and beverages must also comply with the Smart Snacks nutrition standards because

the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits meetings on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., meetings on school premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibit sales (including orders and distribution) of coffee, tea, and soft drinks to students on school premises at all times. Meetings on school premises can **never** sell or distribute coffee, tea, and soft drinks to students. Fee-based meetings on school premises can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Meetings on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m. and the ASP operates after the school day from 3:30 to 4:30 p.m., meetings on school premises cannot give or distribute candy, coffee, tea, and soft to students from 11:00 a.m. to 1:30 p.m. and 3:00 p.m. to 5:00 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from meetings on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets that students can exchange for foods and beverages at meetings on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students at meetings on school premises (refer to “[Fee-based Programs and Activities](#)” in this section).
 - **Example 1:** The NSLP operates from 11:30 a.m. to 1:00 p.m. A meeting on school premises sells foods and beverages to students from 11:30 a.m. to 12:30 p.m. The nonprofit food service account must receive the meeting’s income from all foods and beverages sold to students because these sales occur during the NSLP meal period. **Note:** All foods available for sale to students from this meeting must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale at this meeting must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) meetings are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.
 - **Example 2:** The NSLP operates from 11:30 a.m. to 1:00 p.m. A student club holds a meeting on school premises from 12:00 p.m. to 1:00 p.m. Students pay a meeting fee that includes the cost of lunch. The nonprofit food service account must receive the income from the portion of the meeting fee that covers the cost of foods and beverages provided to students. **Note:** All foods provided in this lunch must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages provided in this lunch must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) meetings are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

Noncompliant Foods and Beverages

Noncompliant foods do not meet the requirements of the Smart Snacks nutrition standards. Noncompliant beverages do not meet the requirements of the state beverage statute and the Smart Snacks nutrition standards.

Smart Snacks nutrition standards for noncompliant foods and beverages

The Smart Snacks nutrition standards prohibit sales of noncompliant foods and beverages to students on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section).

State beverage requirements for noncompliant foods and beverages

The state beverage statute prohibits sales of noncompliant beverages to students on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section), except for sales that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

Noncompliant foods and beverages located at an event

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at the location of an event on school premises that occurs after the school day or on the weekend. For more information, refer to “[Beverage exemptions](#)” in section 1.

- **Example:** A fundraiser located at a dance recital (event) on school premises in the evening (after the school day) could sell lemonade to students during intermission. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for noncompliant foods and beverages” below).



Other state requirements for noncompliant foods and beverages

In addition to the federal and state nutrition standards, noncompliant foods to students on school premises must comply with Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in section 1). They also apply to fundraisers that **are** events (refer to [“Fundraisers that are events”](#) in this section), and fundraisers located **at events** on school premises that meet the exemption criteria of the state beverage statute (refer to [“Fundraisers located at an event”](#) in this section).

The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating. C.G.S. Section 10-221p (nutritious low-fat foods) does not apply because noncompliant foods can never be sold to students on school premises during the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to foods and beverages available for sale to students at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day, but does not apply after the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates after the school day from 4:30 to 5:30 p.m., fundraisers cannot sell or distribute candy to students anywhere on school premises from 4:00 to 6:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibits selling coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times. Coffee, tea, and soft drinks cannot be sold to students (or purchased with program fees and distributed to students) on school premises unless 1)

the board of education or school governing authority has voted to allow food and beverage exemptions; 2) the sales are at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Noncompliant foods and beverages located at an event](#)” in this section.

- **Giving candy, coffee, tea, and soft drinks:** Candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., coupons for candy, coffee, tea, and soft drinks cannot be given to or exchanged by students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets on school premises that students can exchange for noncompliant foods and beverages, including ticket sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Tickets, coupons, and tokens](#)” in this section); program fees charged to cover the cost of noncompliant foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for compliant foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section); and student donations in exchange for compliant foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example:** The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A student club sells foods and beverages to students at a sports competition (event) on school premises from 3:30 p.m. to 6:00 p.m. (after the school day). The nonprofit food service account must receive the club’s income from all foods and beverages sold to students from 4:00 p.m. to 6:30 p.m. **Note:** All beverages available for sale to students from this student club must comply with the state beverage statute because these sales are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)”

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in section 1). The Smart Snacks nutrition standards do not apply to these sales because they occur after the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

School Cafeterias

Cafeterias that sell la carte foods and beverages to students must comply with the applicable federal and state nutrition standards. A la carte sales are foods and beverages sold separately from reimbursable meals in the NSLP and SBP. Examples include ice cream, cookies, chips, pretzels, crackers, bagels, muffins, pasta, rice, bottled water, milk, juice, fresh fruit, salads, vegetables, soups, and entrees such as pizza and sandwiches.

Smart Snacks nutrition standards for school cafeterias

The Smart Snacks nutrition standards apply to all a la carte foods and beverages available for sale to students in school cafeterias **during the school day**. This also includes purchased tickets that students can exchange for a la carte foods and beverages in the cafeteria (refer to “[Tickets, coupons, and tokens](#)” in this section).



State beverage requirements for school cafeterias

The state beverage statute applies to all beverages available for sale to students in school cafeterias, as part of and separately from reimbursable meals (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). It also applies to purchased or free tickets that students can exchange for a la carte beverages in the cafeteria (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the foods and beverages.

Beverages available for sale to students in the cafeteria must **always** comply with the state beverage statute. Cafeteria a la carte sales are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for school cafeterias

In addition to the federal and state nutrition standards, school cafeterias must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in school cafeterias (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that cafeterias selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1). Most cafeterias already sell these types of foods as a la carte items. C.G.S. Section 10-221p does **not** apply to cafeterias that solely sell reimbursable meals without any a la carte choices. The statute does not apply unless the school offers a la carte foods and beverages for sale during the meal periods.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits school cafeterias from selling and giving candy, coffee, tea, or soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).

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- **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. School cafeterias can **never** sell or distribute candy to students during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates in the cafeteria from 5:30 to 6:30 p.m., the cafeteria cannot sell candy, coffee, tea, and soft drinks to students from 5:00 p.m. to 7:00 p.m.
- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Cafeteria a la carte sales are not eligible for beverage exemptions because they do not meet the exemption criteria. School cafeterias can **never** sell or distribute coffee, tea, and soft drinks to students; or purchase coffee, tea, and soft drinks and distribute them to students.
- **Giving candy, coffee, tea, and soft drinks:** School cafeterias cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school cafeterias cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.

The income from cafeteria sales of a la carte foods and beverages in the NSLP and SBP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises during this time, including sales at events on school premises that meet the exemption criteria of the state beverage statute.

- **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. The nonprofit food service account

must receive the income from all foods and beverages available for sale to students on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students separately from reimbursable meals in the cafeteria (and any food sales outside of the cafeteria) must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students as part of and separately from reimbursable meals in the cafeteria (and any beverage sales outside of the cafeteria) must comply with the state beverage statute because sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1). In addition, all beverages available for sale to students separately from reimbursable meals in the cafeteria and outside of the cafeteria must comply with the Smart Snacks nutrition standards because the sales occur during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

School Stores

School stores, kiosks, and other school-based enterprises that sell foods and beverages to students on school premises must comply with all applicable federal and state nutrition standards. The CSDE’s resource, [Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools](#), summarizes the requirements for school stores.

Smart Snacks nutrition standards for school stores

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from school stores on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes school stores where students can exchange purchased tickets or coupons for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

State beverage requirements for school stores

The state beverage statute applies to all beverages available for sale to students from school stores on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes school stores where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.



Beverages available for sale to students from school stores must **always** comply with the state beverage statute. The state beverage statute specifically prohibits beverage exemptions for school stores.

Other state requirements for school stores

In addition to the federal and state nutrition standards, school stores must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from school stores on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that school stores selling foods to students during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** A school store sells foods to students during the school day. The school store must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this school store must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students from this school store must comply with the state beverage statute and Smart Snacks because 1) school stores are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits school stores from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., school stores cannot sell or distribute candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute specifically prohibits beverage exemptions for school stores. School stores can **never** sell or distribute coffee, tea, and soft drinks to students on school premises.
- **Giving candy, coffee, tea, and soft drinks:** School stores cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school stores cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from school stores on school premises that operate from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets or similar items that students can exchange for foods and beverages in school stores (refer to “[Tickets, coupons, and tokens](#)” in this section).
 - **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. The school store sells foods and beverages to students during the school day. The nonprofit food service account must receive the school store’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this school store must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students from this school store must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) school stores are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.
 - **Example 2:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a school club sells tickets that students can exchange for foods in the school store during the school day. The nonprofit food service account must receive the income from all tickets sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30

p.m. **Note:** All foods that students can purchase with the tickets must comply with the Smart Snacks nutrition standards because the ticket sales and exchange occur during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Special Milk Program (SMP)

Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the USDA’s school meal programs. The USDA requires the following types of milk for each age group:

- unflavored whole milk for age 1;
- unflavored low-fat (1%) milk or unflavored fat-free milk for ages 2-5; and
- unflavored low-fat (1%) milk, unflavored fat-free milk, or flavored fat-free milk for ages 6 and older.

For more information, visit the CSDE’s [SMP](#) webpage.

Smart Snacks nutrition standards for the SMP

The Smart Snacks nutrition standards do not apply to the SMP unless the school also participates in the NSLP or SBP.

State beverage requirements for the SMP

The state beverage statute applies to all beverages served in the SMP.



Beverages served in the SMP must **always** comply with the state beverage statute. The SMP is not eligible for beverage exemptions because it does not meet the definition of an event and it operates during the school day.

Other state requirements for the SMP

In addition to the federal and state nutrition standards, the SMP must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. The state competitive foods regulations apply while CNPs are operating. The state statute for nutritious low-fat foods (C.G.S. Section 10-221p) does not apply because the SMP does not sell foods to students.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SMP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP. The SMP can **never** sell or distribute candy to students; or purchase candy and distribute it to students.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The SMP is not eligible for beverage exemptions because it does not meet the definition of an event and it operates during the school day. The SMP can **never** sell or distribute coffee, tea, and soft drinks to students; or purchase coffee, tea, and soft drinks and distribute them to students.
 - **Giving candy, coffee, tea, and soft drinks:** The SMP cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the SMP operates from 11:00 a.m. to 12:00 p.m., the SMP (or any other entity on school premises) cannot give or distribute candy, coffee, tea, and soft drinks to students from 10:30 a.m. to 12:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SMP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all sales of foods and beverages to students on school premises during this time.
 - **Example:** A NSLP school operates the SMP for students in half-day pre-kindergarten. The SMP operates from 11:00 a.m. to 12:00 p.m. A fundraiser on school premises sells foods and beverages to students during the milk service. The nonprofit food service account must receive the fundraiser's income from all foods and beverages sold to students from 10:30 a.m. to 12:30 p.m. **Note:** All foods available for sale to students from this fundraiser must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages available for sale to students from this fundraiser must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) fundraisers are not eligible for beverage exemptions (refer to "[Beverage exemptions](#)" in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations](#)" in section 1.

Sports Competitions

Sports competitions that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples include concession stands, clubs, and organizations that sell foods and beverages at games, matches, and tournaments.

Smart Snacks nutrition standards for sports competitions

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from sports competitions on school premises **during the school day**. This also includes sports competitions where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

- **Example 1:** The school day ends at 3:00 p.m. A school booster club at a baseball game on school premises sells foods and beverages to students beginning at 3:15 p.m. The Smart Snacks nutrition standards apply because these sales occur **before** the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day).
- **Example 2:** The school day ends at 3:00 p.m. A school booster club at a baseball game on school premises sells foods and beverages to students beginning at 3:45 p.m. The Smart Snacks nutrition standards do not apply because these sales occur **after** the end of the school day.

State beverage requirements for sports competitions

The state beverage statute applies to all beverages available for sale to students at sports competitions on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section), unless they meet the exemption criteria of the state beverage statute (refer to “[Sports competitions that are events](#)” in this section). This also includes sports competitions where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Sports competitions that are events

Sports competitions that occur on school premises after the school day or on the weekend are eligible for beverage exemptions because they meet the definition of an event (refer to “[Beverage exemptions](#)” in section 1). If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at the location of a sports competition (event) on school premises after the school day or on the weekend. The sales cannot occur from vending machines or school stores. If the sports competition occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for sports competitions” below).

Other state requirements for sports competitions

In addition to the federal and state nutrition standards, sports competitions on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages located at sports competitions on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). They also apply to foods and beverages available for sale to students at the location of sports competitions (events) on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 1).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that sports competitions selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1). This regulation does not typically apply to most sports competitions because they usually operate **after** the school day and **outside** of the time that CNPs are operating.
 - **Example 1:** The school day ends at 2:30 p.m. A booster club at a football game sells foods and beverages to students beginning at 2:45 p.m. (during the school day). Up through 3:00 p.m., the booster club must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this booster club must comply with the applicable federal and state nutrition standards. Up through 3:00 p.m., all foods and beverages available for sale to students from this booster club must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart

Snacks nutrition standards apply to all foods and beverages sold to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Example 2:** The school day ends at 2:30 p.m. A booster club at a football game sells foods and beverages to students beginning at 3:15 p.m. (after the school day). C.G.S. Section 10-221p does not apply because the sales occur **after** the school day. **Note:** The Smart Snacks nutrition standards do not apply because these sales occur **after** the school day. If the board of education has voted to allow beverage exemptions, the state beverage statute does not apply because these sales are at the location of an event (football game) that occurs after the school day.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports competitions on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to sports competitions that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 to 4:30 p.m., sports competitions on school premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Sports competitions cannot sell or distribute coffee, tea, and soft drinks to students anywhere on school premises unless the 1) board of education or school governing authority has voted to allow food and beverage exemptions; 2) the sales are held at a sports competition (event) that occurs after the school day or on the weekend; and 3) the sports competition does not occur while any CNPs are operating. For more information, refer to [“Sports competitions that are events”](#) in this section.

- **Giving candy, coffee, tea, and soft drinks:** Sports competitions on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., sports competitions on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from sports competitions on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Sports competitions that are events](#)” in this section); and sales of tickets that students can exchange for foods and beverages at sports competitions on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section).
 - **Example:** The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A booster club at a football game sells foods and beverages to students beginning at 2:45 p.m. The nonprofit food service account must receive the income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** These beverage sales meet the exemption criteria of the state beverage statute because they occur at a football game (event) held after the school day. Noncompliant beverages (excluding coffee, tea, and soft drinks) could be sold to students at the football game if the board of education or school governing authority has voted to allow beverage exemptions. For more information, refer to “[Sports competitions that are events](#)” in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Sports Practices

Sports practices that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. This includes practices of any sports teams, sports clubs, and sports organizations that occur on school premises at any time. The federal and state nutrition standards also apply to fee-based sports programs that include the cost of foods and beverages provided to students on school premises.

Smart Snacks nutrition standards for sports practices

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students at sports practices on school premises **during the school day** (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes fee-based sports programs that include the cost of foods and beverages provided to students during practices (refer to “[Fee-based Programs and Activities](#)” in this section), and sports practices where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

- **Example 1:** The school day ends at 3:00 p.m. A fee-based sports program on school premises includes the cost of foods and beverages provided to students during practices. Students receive these foods and beverages beginning at 3:15 p.m. The Smart Snacks nutrition standards apply because students receive the foods and beverages **before** the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day). **Note:** All beverages provided to students from this sports program must comply with the state beverage statute because practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).
- **Example 2:** The school day ends at 3:00 p.m. A fee-based sports program includes the cost of foods and beverages provided to students during practices on school premises. Students receive the foods and beverages beginning at 3:45 p.m. The Smart Snacks nutrition standards do **not** apply because students receive the foods and beverages **after** the end of the school day. **Note:** All beverages provided to students from this sports program must comply with the state beverage statute because practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1).

State beverage requirements for sports practices

The state beverage statute applies to all foods and beverages available for sale to students at sports practices on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based sports programs that include the cost of beverages provided to students during practices (refer to “[Fee-based Programs and Activities](#)” in this section), and sports practices where students can exchange purchased or free tickets for beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from sports practices on school premises must **always** comply with the state beverage statute. Sports practices are not eligible for beverage exemptions because they do not meet the definition of an event.



Other state requirements for sports practices

In addition to the federal and state nutrition standards, sports practices on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages at sports practices on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do **not** typically apply to sports practices. Most sports practices on school premises operate **after** the school day and **outside** of the time that CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that sports practices selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1). This statute does not typically apply to most sports practices because they usually operate **after** the school day and **outside** of the time that CNPs are operating.
 - **Example:** The school day ends at 3:00 p.m. A fee-based sports program includes the cost of foods and beverages provided to students during practices on school premises. Students receive these foods and beverages before 3:30 p.m. (during the school day). Up through 3:30 p.m., the sports program must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages available for sale from this sports program must comply with the state beverage statute because practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1 and “[Fee-based Programs and Activities](#)” in this section). Up through 3:30 p.m., all foods and beverages must also comply with the Smart Snacks nutrition standards because the foods and beverages are provided to students during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports practices on school premises from selling and giving candy, coffee, tea, and soft drinks (including sports drinks) to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., sports practices anywhere on school premises cannot sell candy to students, or provide candy to students through the program’s fee, from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Sports practices can **never** sell or distribute coffee, tea, and soft drinks (including sports drinks) to students on school premises. Fee-based sports programs can **never** purchase coffee, tea, and soft drinks (including sports drinks) with program fees and distribute them to students during practices on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Sports practices on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., sports practices on school premises cannot give or distribute candy, coffee, tea, and soft drinks (including sports drinks) to students from 3:00 p.m. to 5:00 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students during sports practices on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during practices on school premises (refer to [“Fee-based Programs and Activities”](#) in this section).
 - **Example 1:** The ASP operates on school premises after the school day from 3:30 p.m. to 4:30 p.m. A sports program sells beverages to students during daily practices from 3:30 p.m. to 5:30 p.m. The nonprofit food service account must receive the income from all beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** All beverages available for sale to students during these practices must comply with the state beverage statute because sports practices are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 1). The Smart Snacks nutrition standards do not apply because the beverage sales occur after the school day.
 - **Example 2:** The ASP operates on school premises after the school day from 3:30 p.m. to 4:30 p.m. A fee-based sports program includes the cost of beverages provided to students during practices from 3:30 p.m. to 5:30 p.m. The nonprofit food service account must receive the income from the portion of the sports program fee that covers the cost of beverages provided to students from 3:00 p.m. to 5:00 p.m. during practices. **Note:** All beverages available for sale to students during these practices must comply with the state beverage statute because sports practices are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 1). The Smart Snacks nutrition standards do not apply because the beverage sales occur after the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations”](#) in section 1.

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO)

The SFSP and SSO must serve meals and snacks that meet the USDA meal patterns. The SSO follows the NSLP and SBP meal patterns. For information on the SSO meal pattern requirements, visit the CSDE's [Meal Patterns for Grades K-12 in School Nutrition Programs](#) and [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpages. For information on the SFSP meal pattern requirements, refer to the [SFSP Meal Pattern](#).

Smart Snacks nutrition standards for the SFSP and SSO

Under the Smart Snacks regulations, the SFSP is not part of the school day unless it operates on school premises during a summer school program operated by the board of education or school governing authority. The Smart Snacks nutrition standards do not apply unless the SFSP:

- operates at a school during the school day, during which summer school NSLP meals are being served on campus; and
- sells foods and beverages to students separately from reimbursable SFSP meals and snacks.

The Smart Snacks nutrition standards do not apply to the SSO unless the site is also operating a summer school program and serving NSLP meals on school campus.

State beverage requirements for the SFSP and SSO

The state beverage statute applies to all beverages available for sale to students on school premises, including beverages that are part of reimbursable SFSP/SSO meals and SFSP snacks.

Beverages available for sale to students as part of and separately from SFSP and SSO meals must **always** comply with the state beverage statute. The SFSP and SSO are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for the SFSP and SSO

In addition to the federal and state nutrition standards, the SFSP and SSO must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all foods and beverages available for sale to students on school premises separately from reimbursable meals in the SFSP and SSO (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in section 1). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do **not** typically apply to the SFSP and SSO. Most SFSP and SSO operations solely provide reimbursable meals and do not sell a la carte foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when foods are available for sale to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must also be available for sale at the same location or elsewhere on school premises at the same time (refer to [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1). This statute does not apply unless the SFSP or SSO 1) operates on school premises during a summer school program operated by the board of education or school governing authority; and 2) sells foods to students separately from reimbursable meals during the school day.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SFSP and SSO from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** Section 10-215b-1 prohibits the SFSP and SSO from selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after their operation. For example, if the SSO serves breakfast from 7:00 a.m. to 7:30 a.m. and lunch from 11:30 a.m. to 1:00 p.m., the SSO (or any other entity on school premises) cannot sell or distribute candy to students anywhere on school premises from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The SFSP and SSO are not eligible for beverage exemptions because they do not meet the definition of an event. The SFSP and SSO can **never** sell or distribute coffee, tea, and soft drinks to students on school premises.
- **Giving candy, coffee, tea, and soft drinks:** A SFSP or SSO on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after its operation. For example, if the SFSP operates on school premises from 11:00 a.m. to 12:00 p.m., the SFSP (or any other entity on school premises) cannot give or distribute candy, coffee, tea, and soft drinks to students from 10:30 a.m. to 12:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SFSP and SSO already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises during this time.
 - **Example:** The SSO operates on school premises during the summer months and serves lunch from 11:00 a.m. to 12:00 p.m. An organization sells foods and beverages to students on school premises during the SSO meal period. The nonprofit food service account must receive the organization's income from all foods and beverages sold to students from 10:30 a.m. to 12:30 p.m. **Note:** Beverages available for sale to students from this organization must comply with the state beverage statute because the sales do not meet the criteria for beverage exemptions (refer to "[Beverage exemptions](#)" in section 1). The Smart Snacks nutrition standards do not apply because the site is not also operating a summer school program and serving NSLP meals on school campus.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations](#)" in section 1.

Summer School Programs

Summer school programs operated by the board of education or school governing authority on school premises are part of the regular school day.

Smart Snacks nutrition standards for summer school programs

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from summer school programs on school premises **during the summer school day**. For example, if summer school ends at 2:30 p.m., the Smart Snacks nutrition standards apply to all foods available for sale to students on school premises through 3:00 p.m. This includes:

- foods and beverages available for sale to students on school premises (refer to [“Definition of “sales” for Smart Snacks”](#) in this section);
- fee-based programs and activities on school premises that include the cost of foods and beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- programs and activities on school premises where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section);
- student orders for foods and beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of fundraiser foods and beverages to students on school premises, if the foods and beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).



State beverage requirements for summer school programs

Summer school programs operated by the board of education or school governing authority are part of the regular school day. The state beverage statute applies to all beverages available for sale to students from summer school programs on school premises **at all times**, including during and after the summer school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes:

- fee-based summer school programs that include the cost of beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section);
- summer school programs where students can exchange tickets, coupons, tokens, and similar items for beverages on school premises, regardless of when the foods and beverages will be consumed (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of beverages to students on school premises, if the foods and beverages have been ordered by students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

Beverages available for sale to students from summer school programs on school premises must **always** comply with the state beverage statute. Summer school programs are not eligible for beverage exemptions because they do not meet the definition of an event.

Other state requirements for summer school programs

In addition to the federal and state nutrition standards, summer school programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from summer school programs on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). The state statute applies during the summer school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that summer school programs selling foods to students on school premises during the summer school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** The summer school day ends at 2:00 p.m. The summer school program sells foods and beverages to students before 2:30 p.m. (during the school day). The summer school program must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this summer school program must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the summer school day. All beverages must comply with the state beverage statute and Smart Snacks because 1) summer school program are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the summer school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits summer school programs from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the summer school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if a SFSP on school premises serves supper from 5:00 p.m. to 6:00 p.m., the summer school program cannot sell or distribute candy to students from 4:30 p.m. to 6:30 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Summer school programs are not eligible for beverage exemptions because they do not meet the definition of an event. Summer school programs can **never** sell or distribute coffee, tea, and soft drinks to students on school premises. Fee-based summer school programs can **never** purchase coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
 - **Giving candy, coffee, tea, and soft drinks:** Summer school programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SSO serves breakfast from 7:00 to 8:00 a.m. and lunch from 12:00 p.m. to 1:00 p.m., a summer school program on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:30 a.m. to 1:30 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from summer school programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); summer school program fees charged to cover the cost of foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; and student donations in exchange for foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).
 - **Example:** The SSO serves breakfast from 7:00 to 8:00 a.m. and lunch from 12:00 p.m. to 1:00 p.m. A summer school program on school premises sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the summer school program’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from this summer school program must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the summer school day. All beverages must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) summer school program are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the summer school day.



Vending Machines

Vending machines that sell foods and beverages to students on school premises must comply with all applicable federal and state nutrition standards. The CSDE's resource, [Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools](#), summarizes the requirements for vending machines. For more information, refer to the CSDE's [Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools](#).

Smart Snacks nutrition standards for vending machines

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students from vending machines on school premises **during the school day**. This also includes vending machines where students can exchange purchased tokens for foods and beverages (refer to "[Tickets, coupons, and tokens](#)" in this section).

State beverage requirements for vending machines

The state beverage statute applies to all beverages available for sale to students from vending machines on school premises **at all times**, including during and after the school day. This also includes vending machines where students can exchange purchased or free tokens for beverages (refer to "[Tickets, coupons, and tokens](#)" in this section).

Beverages available for sale to students from vending machines must **always** comply with the state beverage statute. The state beverage statute specifically prohibits beverage exemptions for vending machines. For more information, refer to "[Beverage exemptions](#)" in section 1.



Other state requirements for vending machines

In addition to the federal and state nutrition standards, vending machines must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in vending machines on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that vending machines selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** The school day ends at 3:00 p.m. A vending machine on school premises sells foods and beverages to students before 3:30 p.m. (during the school day). The vending machine must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this vending machine must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages must comply with the state beverage statute because the state beverage statute specifically prohibits beverage exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 1). In addition, up through 3:30 p.m., all beverages must comply with Smart Snacks because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits vending machines on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., vending machines on school

premises cannot sell or distribute candy to students from 3:00 p.m. to 5:00 p.m. They must be turned off during this time.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute specifically prohibits beverage exemptions for vending machines. Vending machines on school premises can **never** sell or distribute coffee, tea, and soft drinks to students.
- **Giving candy, coffee, tea, and soft drinks:** Vending machines on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students while any CNPs are operating. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., vending machines on school premises cannot dispense candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. They must be turned off during these times.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from vending machines on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tokens that students can exchange for foods and beverages in vending machines on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section).

If any vending machines operate during this time, the **gross income** (not just the percentage of the income specified in the vending machine contract) must accrue to the nonprofit food service account.

- **Example 1:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Vending machines on school premises sell foods and beverages to students during the meal periods. The district’s vending machine contract specifies that the school food service department will receive 20 percent of the total vending sales. The nonprofit food service account must receive 100 percent of the vending machine income from foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from

these vending machines must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages must comply with the state beverage statute and Smart Snacks because 1) the state beverage statute specifically prohibits beverage exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. If the vending machines sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Example 2:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a school club sells tokens that students can use to obtain foods and beverages from the vending machines. The nonprofit food service account must receive the income from all tokens sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from these vending machines must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages must comply with the state beverage statute and Smart Snacks because 1) the state beverage statute specifically prohibits beverage exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. If the vending machines sales occur while CNPs are operating, the state competitive foods regulations also apply.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

Vendors

Vendors that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards (refer to “[Sales to Students](#)” in this section). Examples of vendors include food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities that sell foods and beverages to students on school premises.

The federal and state nutrition standards do not apply when vendors sell foods and beverages to adults (such as teachers, staff, and parents) on school premises, or sell foods and beverages to students off school premises. For more information, refer to “[Sales to adults](#)” and “[Fundraisers held off school premises](#)” in this section.

- **Example:** An ice cream truck sells ice cream that does not meet the Smart Snacks nutrition standards. The ice cream truck cannot sell this ice cream to students on school campus during the school day. However, if this ice cream truck is located off school campus, it can sell ice cream to students at any time.



Smart Snacks nutrition standards for vendors

The Smart Snacks nutrition standards apply to all foods and beverages available for sale to students on school premises **during the school day**. This includes:

- foods and beverages available for sale to students from vendors on school premises (refer to “[Sales to Students](#)” in this section);
- vendors operating fee-based programs and activities on school premises that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section);
- vendors on school premises where students can exchange purchased tickets for foods and beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for foods and beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of foods and beverages to students from vendors on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);

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- vendors operating fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

State beverage requirements for vendors

The state beverage statute applies to all beverages available for sale to students as part of and separately from reimbursable meals from vendors on school premises **at all times**, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes:

- vendors operating fee-based programs and activities on school premises that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section);
- vendors on school premises where students can exchange tickets, coupons, tokens, and similar items for beverages on school premises, regardless of when the foods and beverages will be consumed (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for beverages from vendors on school premises, if the foods and beverages will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of beverages to students from vendors on school premises, if the foods and beverages have been ordered by students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- vendors operating on school premises that give beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

The state beverage statute applies regardless of when students will receive or consume the beverages.

Beverages available for sale to students from vendors on school premises must **always** comply with the state beverage statute. For example, a vendor cannot sell noncompliant beverages to students on school premises during or after the school day. Selling beverages is not an event and is therefore ineligible for beverage exemptions. Vendors are not eligible for beverage exemptions unless the sales occur at the location of an event held after the school day or on the weekend (refer to “[Vendors at events](#)” below).

Vendors at events

If the board of education or school governing authority has voted to allow beverage exemptions, vendors could sell noncompliant beverages to students at an event on school premises that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). For example, a vendor located at a school carnival (event) in the evening (after the school day) could sell soft drinks to students. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for vendors” below).

Other state requirements for vendors

In addition to the federal and state nutrition standards, vendors on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from vendors on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in section 1). They also apply to sales from vendors at the location of events that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that vendors selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1).
 - **Example:** A vendor sells foods and beverages to students on school premises during the school day. The vendor must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this vendor must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages must comply with the state beverage statute and Smart Snacks because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits vendors on from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to vendors at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling candy to students (including orders and distribution) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., vendors cannot sell or distribute candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it prohibits sales (including orders and distribution) of coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. Vendors cannot sell or distribute coffee, tea, and soft drinks to students (or purchase coffee, tea, and soft drinks with program fees and distribute them to students) unless 1) the board of education or school governing authority has voted to allow beverage exemptions; 2) the vendor is located at an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Vendors at events”](#) in this section.
 - **Giving candy, coffee, tea, and soft drinks:** Vendors cannot give, provide, or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., vendors on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students from vendors on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.

This also includes the income from: sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets on school premises that students can exchange for foods and beverages, including ticket sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Tickets, coupons, and tokens](#)” in this section); vendor fees charged to cover the cost of foods and beverages provided to students premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section); and student donations in exchange for foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section).

- **Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A vendor sells foods and beverages to students during the meal periods. The nonprofit food service account must receive the vendor’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from this vendor must comply with the applicable federal and state nutrition standards. All foods must comply with the Smart Snacks nutrition standards because the sales occur during the school day. All beverages must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 1); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day. For more information, refer to “[Vendors at events](#)” in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations](#)” in section 1.

3 — Summary of Food Restrictions

Table 3-1 summarizes the restrictions for selling and giving competitive foods to students in non-HFC public schools, based on the federal and state requirements. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2. For definitions of terms, refer to the [Glossary](#).

The Smart Snacks nutrition standards apply to foods available for sale to students on school premises during the school day, separately from reimbursable meals. C.G.S. 10-221p (nutritious low-fat foods) applies if foods are available for sale to students during the school day. Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if foods are sold or given to students while any CNPs are operating, including during and after the school day.



Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools



Food	Requirements
<p>Candy, including all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.</p> 	<p>The Smart Snacks nutrition standards prohibit selling candy to students on school premises during the school day.</p> <p>If any CNPs are operating, Section 215b-1 of the state competitive foods regulations prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “Section 10-215b-1: Candy” in section 1 and “Candy” in section 2.</p> <p>Section 215b-23 of the state competitive foods regulations does not apply because candy sales are not allowed while any CNPs are operating.</p>
<p>Gum, regular</p> 	<p>The Federal Food, Drug, and Cosmetic Act defines gum as a food. The Smart Snacks nutrition standards prohibit sales of regular gum to students on school premises during the school day.</p> <p>If regular gum is available for sale to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods (including gum) and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “Section 10-215b-1: Candy” in section 1 and “Gum” in section 2.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools


Food	Requirements
<p>Gum, sugar-free</p> 	<p>The Federal Food, Drug, and Cosmetic Act defines gum as a food. Smart Snacks allows sales of sugar-free gum to students during the school day.</p> <p>If sugar-free gum is available for sale to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires additional restrictions. Section 215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “Section 10-215b-1: Candy” in section 1 and “Gum” in section 2.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>All foods sold separately from school meals (except entree items), e.g., cookies, crackers, pretzels, popcorn, chips, puffed snacks, cereals, ice cream, pudding, yogurt, cheese, nuts/seeds, nut/seed butters, baked goods (e.g., pastries, toaster pastries, bagels, muffins, waffles, pancakes, rolls and buns), cooked grains (e.g., rice and pasta), soup, fruits, vegetables, and combination foods</p>	<p>Compliant foods</p> <p>Foods that comply with the Smart Snacks nutrition standards may be sold to students on school premises at any time. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating foods for compliance with Smart Snacks. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable commercial products</p> <p>For foods made from scratch, schools must compare the recipe’s nutrition information per serving (including any added accompaniments) with each nutrition standard for the appropriate Smart Snacks category. Foods made from scratch must be evaluated for compliance with the Smart Snacks nutrition standards before they are sold to students. For more information, refer to “Identifying allowable foods and beverages” in section 1 and “Compliant Foods and Beverages” in section 2.</p> <p>If foods are available for sale to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p><i>Continued on next page</i></p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>All foods sold separately from school meals (except entree items), e.g., cookies, crackers, pretzels, popcorn, chips, puffed snacks, cereals, ice cream, pudding, yogurt, cheese, nuts/seeds, nut/seed butters, baked goods (e.g., pastries, toaster pastries, bagels, muffins, waffles, pancakes, rolls and buns), cooked grains (e.g., rice and pasta), soup, fruits, vegetables, and combination foods, <i>continued</i></p>	<p>Noncompliant foods</p> <p>The Smart Snacks nutrition standards prohibit sales of noncompliant foods to students on school premises during the school day, but allows sales after the school day. For more information, refer to “Noncompliant Foods and Beverages” in section 2.</p> <p>If noncompliant foods are available for sale to students during the school day, they must also comply with C.G.S. Section 10-221p (nutritious low-fat foods). For more information, refer to “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
Entree items sold separately from school meals , e.g., pizza, chicken nuggets, chef's salad, burritos, lasagna, hamburgers, and fruit-yogurt parfaits	<p>Smart Snacks does not apply to entree items that are sold a la carte during the meal periods on the same day, or the day after, that they are planned and served as part of a reimbursable meal in the NSLP or SBP. These entrees may be sold a la carte during the meal periods if they are the same or smaller portion size as the NSLP and SBP; and have the same accompaniments.</p> <p>Entrees sold only a la carte</p> <p>The Smart Snacks nutrition standards apply only to entree items that are sold only a la carte, i.e., entrees that are not part of reimbursable meals. For example, if a school sells pizza that is not part of a reimbursable meal on the day of service or the day after service, the pizza must comply with Smart Snacks. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating entrees for compliance with Smart Snacks.</p> <ul style="list-style-type: none"> Compliant entrees sold only a la carte: Entrees that comply with the Smart Snacks nutrition standards may be sold to students anywhere on school premises at any time. Added accompaniments (such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing) must be included when evaluating foods for compliance with Smart Snacks. For example, to determine if a hamburger on a bun complies with Smart Snacks, schools must add the nutrition information per serving for the hamburger and bun plus the nutrition information per serving for any condiments (such as ketchup and mustard), and compare this total with the Smart Snacks requirements for the entrees category. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable commercial products <p>For foods made from scratch, schools must compare the recipe's nutrition information per serving (including any added accompaniments) with each nutrition standard for the</p> <p><i>Continued on next page</i></p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>Entree items sold separately from school meals, e.g., pizza, chicken nuggets, chef's salad, burritos, lasagna, hamburgers, and fruit-yogurt parfaits, <i>continued</i></p>	<p>appropriate Smart Snacks food category. Foods must be evaluated for compliance with the Smart Snacks nutrition standards before they are sold to students. For more information, refer to "Identifying Allowable Foods" in section 1.</p> <p>If entrees are sold only a la carte during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to "Requirement to Sell Nutritious Low-fat Foods" in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to "Section 10-215b-23: Accrual of income" in section 1.</p> <ul style="list-style-type: none"> <p>Noncompliant entrees sold only a la carte: The Smart Snacks nutrition standards prohibit sales of noncompliant entrees to students on school premises during the school day. Noncompliant entrees may be sold after the school day. For more information, refer to "Noncompliant Foods and Beverages" in section 2.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires additional restrictions. The nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to "Section 10-215b-23: Accrual of income" in section 1.</p>

4 — Summary of Beverage Restrictions

Table 4-1 summarizes the restrictions for selling and giving competitive beverages to students in non-HFC public schools, based on the federal and state requirements. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2. For definitions of terms, refer to the [Glossary](#).

The Smart Snacks nutrition standards apply to beverages available for sale to students on school premises during the school day, separately from reimbursable meals. The state beverage statute (C.G.S. Section 10-221q) applies to all beverages available for sale to students on school premises at all times, as part of reimbursable meals and separately from reimbursable meals.

Beverages that do not comply with the state beverage statute cannot be sold to students on school premises unless the board of education or school governing authority has voted to allow beverage exemptions, and the beverages are sold at the location of an event that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 1). Noncompliant beverages can **never** be sold to students from vending machines or school stores.

Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if beverages are sold or given to students while any CNPs are operating, including during and after the school day.

[Table 1-4](#) summarizes the federal and state beverage requirements.

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Almond milk products that do not meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p>Refer to “Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes”</p> <p>Note: The commercial almond milk products that are currently available do not meet the USDA’s nutrition standards for fluid milk substitutes.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Beverages containing 100 percent juice diluted with water, with added sweeteners, with or without carbonation ¹</p> 	<p>The state beverage statute prohibits sales of beverages containing juice and water with added sweeteners to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because beverages containing juice and water with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Beverages containing 100 percent juice diluted with water, without added sweeteners, with or without carbonation</p> 	<p>Beverages containing 100 percent juice diluted with water without added sweeteners comply with the Smart Snacks nutrition standards. To comply with the state beverage statute, products must meet the requirements indicated in the CSDE's resource, Requirements for Beverages Containing Water and Juice. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Beverages containing 100 percent juice diluted with water without added sweeteners, and that comply with the Smart Snacks nutrition standards and the state beverage statute, may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to "Section 10-215b-23: Accrual of income" in section 1.</p>
<p>Club soda</p>	<p>Refer to "Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water."</p>
<p>Cocoa</p>	<p>Refer to "Hot chocolate (cocoa), regular, low-calorie and sugar-free."</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Coffee, regular, decaffeinated, herbal, and iced</p> 	<p>The state beverage statute prohibits sales of coffee (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving coffee to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving coffee to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools



Beverage	Requirements
<p>Hot chocolate (cocoa), regular, low-calorie and sugar-free</p> 	<p>The state beverage statute prohibits sales of hot chocolate to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>
<p>Juice, 100 percent full-strength (fruit juice, vegetable juice, or combination)</p> 	<p>Juice (100 percent full-strength) complies with the state beverage statute and the Smart Snacks nutrition standards; it may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools



Beverage	Requirements
<p>Juice, 100 percent full-strength, carbonated (fruit juice, vegetable juice, or combination)</p> 	<p>Carbonated juice (100 percent full-strength) complies with the state beverage statute and the Smart Snacks nutrition standards; it may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Juice drinks (not 100 percent juice), regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars ¹</p> 	<p>Juice drinks are products resembling juice that contain full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.</p> <p>The state beverage statute prohibits sales of juice drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because juice drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>

¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the [Glossary](#).

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
Lemonade (not 100 percent juice) ¹	Refer to “Juice drinks (not 100 percent juice) , regular or low-calorie, regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars.”
Milk, fat-free, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee 	<p>Fat-free milk (unflavored or flavored) complies with the Smart Snacks nutrition standards. To comply with the state beverage statute, fat-free milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free milk that complies with the Smart Snacks nutrition standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>
¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary .	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, low-fat, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee</p> 	<p>Low-fat milk (unflavored or flavored) complies with the Smart Snacks nutrition standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Low-fat milk that complies with the Smart Snacks nutrition standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, reduced fat (2%), unflavored or flavored</p> 	<p>The Smart Snacks nutrition standards prohibit sales of reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, whole, unflavored or flavored</p> 	<p>The Smart Snacks nutrition standards prohibit sales of whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, lactose-free, low-fat (1%), unflavored or flavored</p> 	<p>Low-fat lactose-free milk (unflavored or flavored) complies with the Smart Snacks nutrition standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Low-fat lactose-free milk that complies with the Smart Snacks nutrition standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, lactose-free fat-free, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee</p> 	<p>Fat-free lactose-free milk (unflavored or flavored) complies with the Smart Snacks nutrition standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free lactose-free milk that complies with the Smart Snacks nutrition standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, lactose-free reduced-fat (2%), unflavored or flavored</p> 	<p>The Smart Snacks nutrition standards prohibit sales of lactose-free reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk, lactose-free whole, flavored or unflavored</p> 	<p>The Smart Snacks nutrition standards prohibit sales of lactose-free whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes</p> 	<p>Milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes comply with the Smart Snacks nutrition standards. Currently, certain brands of soy milk are the only nondairy milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes.</p> <p>To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot not exceed 12 fluid ounces. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Milk substitute products that comply with the Smart Snacks nutrition standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to "Section 10-215b-23: Accrual of income" in section 1.</p> <p>For information on the USDA's requirements for milk substitutes, refer to the CSDE's resource, <i>Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</i>. For information on the USDA's requirements for milk substitutes in school meals for children with disabilities, refer to the CSDE's resource, <i>Accommodating Special Diets in School Nutrition Programs</i>.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p>The Smart Snacks nutrition standards prohibit sales of milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes to students on school premises during the school day. Note: Only certain brands of soy milk meet the USDA’s nutrition standards for fluid milk substitutes. Most milk substitute products (such as almond milk, cashew milk, rice milk, and many brands of soy milk) do not meet these standards.</p> <p>Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p> <p>For more information on milk substitutes, refer to the CSDE’s resource, <i>Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</i>. For information on milk substitutes in school meals for children with disabilities, refer to the CSDE’s resource, <i>Accommodating Special Diets in School Nutrition Programs</i>.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Rice milk products that do not meet the USDA's nutrition standards for fluid milk substitutes</p> 	<p>Refer to “Milk substitute products that do not meet the USDA's nutrition standards for fluid milk substitutes.”</p> <p>Note: The commercial rice milk products that are currently available do not meet the USDA's nutrition standards for fluid milk substitutes.</p>
<p>Seltzer, flavored</p>	<p>Refer to “Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water.”</p>
<p>Seltzer, unflavored</p>	<p>Refer to “Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Soy milk substitute products that meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p>Refer to “Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes.”</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Soda, diet ¹</p> 	<p>The state beverage statute prohibits sales of diet soda to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Soda, regular ¹</p> 	<p>The state beverage statute prohibits sales of regular soda to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
<p>Sparkling water, flavored, without added sweeteners</p>	<p>Refer to “Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water.”</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
Sparkling water, plain, without added sweeteners	Refer to “ Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”
Sports drinks, regular ¹ 	<p>The state beverage statute prohibits sales of regular sports drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving sports drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary .	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Sports drinks, low-calorie and zero calorie ¹</p> 	<p>The state beverage statute prohibits sales of low-calorie and zero calorie sports drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving sports drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Tea, regular, decaffeinated, herbal, and iced</p> 	<p>The state beverage statute prohibits sales of tea (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving tea to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving tea to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Water with added sweeteners (with or without carbonation) ¹</p> 	<p>The state beverage statute prohibits sales of water with added sweeteners to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because waters with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This requirement also applies to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. <p>For more information, refer to “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools


Beverage	Requirements
<p>Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water</p> 	<p>Flavored water without added sweeteners (with or without carbonation) complies with the state beverage statute and the Smart Snacks nutrition standards for high schools. However, the Smart Snacks nutrition standards are different for elementary and middle schools, and require additional restrictions.</p> <ul style="list-style-type: none"> High schools: Flavored water without added sweeteners complies with the Smart Snacks nutrition standards for high schools; it may be available for sale to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products. Elementary and middle schools: The Smart Snacks nutrition standards prohibit flavored water without added sweeteners in elementary and middle schools; it cannot be sold until after the school day. Portion sizes are unlimited. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products. <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools



Beverage	Requirements
<p>Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water</p> 	<p>Water without added sweeteners complies with the state beverage statute and the Smart Snacks nutrition standards; it may be available for sale to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Water fortified with vitamins, with added sweeteners (with or without carbonation) ¹</p> 	<p>Refer to “Water with added sweeteners (with or without carbonation)”</p>
<p>Water, plain (no added ingredients)</p>	<p>Refer to “Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the Glossary.</p>	

6 — Resources

This section includes resources that provide guidance on implementing the federal and state requirements for competitive foods in non-HFC public schools. For a comprehensive list of resources, refer to the CSDE’s document, *Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools*.

Beverages

Allowable Beverages in Connecticut Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Allowable_Beverages_Public_Schools.pdf

Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milk_Substitutes_SNP.pdf

Beverage Requirements (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Beverage-Requirements>

Beverage Requirements for Connecticut Public Schools (CSDE Presentation):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Beverage_Requirements_Connecticut_Public_Schools_Presentation.pdf

Exemptions for Foods and Beverages in Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Food_Beverage_Exemptions_Public_Schools.pdf

Requirements for Beverages Containing Water and Juice (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Water_Juice_Beverages_Requirements.pdf

Child Nutrition Programs

Afterschool Snack Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Afterschool-Snack-Program>

Connecticut Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Child-Nutrition-Programs>

Nutrition Standards for School Meals (USDA):

<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

Operational Memoranda for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Lists/Operational-Memoranda-for-School-Nutrition-Programs>

Program Guidance for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Program-Guidance-School-Nutrition-Programs>

Resources for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Resources-for-Child-Nutrition-Programs>

Seamless Summer Option (SSO) of the NSLP (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Seamless-Summer-Option-SSO-of-the-NSLP>

Special Milk Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Special-Milk-Program>

Summer Food Service Program (SFSP):

<https://portal.ct.gov/SDE/Nutrition/Summer-Food-Service-Program>

Competitive Foods

Competitive Foods in Schools (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Competitive-Foods>

CSDE Operational Memorandum No. 11-14: Overview of Federal versus State Nutrition Standards for Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM11-14.pdf>

CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Guide to Competitive Foods in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Competitive_Foods_Guide_NonHFC.pdf

Overview of Connecticut Competitive Foods Regulations (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview_CT_Competitive_Foods_Regulations.pdf

Overview of Federal and State Laws for Competitive Foods in Connecticut Public Schools, Private Schools, and Residential Child Care Institutions (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview_Federal_State_Laws_Competitive_Foods.pdf

Questions and Answers on Connecticut Statutes for School Foods and Beverages:

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Questions_Answers_Connecticut_Statutes_School_Foods_Beverages.pdf

Regulations of Connecticut State Agencies (Sections 10-215b-1 and 10-215b-23):

https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/

Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements_Competitive_Foods_NonHFC.pdf

Resource List for Competitive Foods in Schools:

https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf

Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Resources_Federal_State_Requirements_Competitive_Foods.pdf

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary_Chart_Requirements_Competitive_Foods_NonHFC.pdf

Culinary Programs

CSDE Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs (Smart Snacks versus Connecticut Nutrition Standards):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM31-14.pdf>

Requirements for Foods and Beverages in Culinary Programs in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary_Programs_Requirements_NonHFC.pdf

Evaluating Compliance of Foods and Beverages

Connecticut Nutrition Standards Worksheets (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To#CNSWorksheets>

Evaluating Foods for Compliance with the Connecticut Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To>

Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluating_Recipes_CNS_Compliance.pdf

How to Evaluate Foods Made from Scratch for Compliance with the CNS (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate_Scratch_Foods_CNS_Compliance.pdf

How to Evaluate Purchased Foods for Compliance with the CNS (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate_Purchased_Foods_CNS.pdf

List of Acceptable Foods and Beverages (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

Smart Snacks Product Calculator (Alliance for a Healthier Generation):

<https://foodplanner.healthiergeneration.org/>

Fundraisers

Healthy Fundraising (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/HealthyFundraising.pdf>

Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_NonHFC.pdf

Sample Fundraiser Form for HFC (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample_Fundraiser_Form_HFC.docx

“School Fundraisers” section of the CSDE’s Resource List for Competitive Foods in Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf

List of Acceptable Foods and Beverages

Contact Information for Vendors Selling Foods and Beverages Listed on the Connecticut State Department of Education’s List of Acceptable Foods and Beverages (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Contact_Information_Vendors_Acceptable_Foods_Beverages.pdf

List of Acceptable Foods and Beverages (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

Submitting Food and Beverage Products for Approval (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Submitting_Food_Beverage_Products.pdf

Summary of Updates to the Connecticut State Department of Education’s List of Acceptable Foods and Beverages (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Summary_Updates_CSDE_List_Acceptable_Foods_Beverages.pdf

Regulations and Policy

C.G.S. Section 10-215. Lunches, breakfasts and other feeding programs for public school children and employees:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215

C.G.S. Section 10-215a. Nonpublic school and nonprofit agency participation in feeding programs:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215a

C.G.S. Section 10-215e. Nutrition standards for food that is not part of lunch or breakfast program:

<https://www.cga.ct.gov/2011/pub/chap169.htm#Sec10-215e.htm>

C.G.S. Section 10-215f. Certification that food meets nutrition standards:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215f

C.G.S. Section 10-221o. Lunch Periods and Recess:

https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221o

C.G.S. Section 10-221p. Boards to make available for purchase nutritious and low-fat foods:

https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221p

C.G.S. Section 10-221q. Sale of beverages:

https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221q

Code of Federal Regulations (CFR) for the School Breakfast Program (7 CFR 220) (USDA):

<https://www.fns.usda.gov/part-220—school-breakfast-program>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215) (USDA):

<https://www.fns.usda.gov/part-215—special-milk-program-children>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215):

<https://www.fns.usda.gov/part-215%E2%80%94special-milk-program-children>

CSDE Operational Memorandum No. 11-14: Overview of Federal versus State Nutrition Standards for Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM11-14.pdf>

Final Rule: Nutrition Standards for the National School Lunch and Breakfast Programs (77 FR 4088):

<https://www.fns.usda.gov/school-meals/fr-012612>

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHFKA of 2010 (81 FR 50131):

<https://www.fns.usda.gov/school-meals/fr-072916d>

Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296):

<https://www.fns.usda.gov/school-meals/healthy-hunger-free-kids-act>

Laws and Regulations for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Laws-and-Regulations-for-Child-Nutrition-Programs>

USDA Food and Nutrition Service (FNS) Policy Memos and Documents for Child Nutrition Programs (USDA):

<https://www.fns.usda.gov/resources>

School Stores

CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/School_Store_Requirements_NonHFC.pdf

“School Stores” section of the CSDE’s Resource List for Competitive Foods in Schools (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf

Smart Snacks

Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison_Chart_Connecticut_Nutrition_Standards_and_Smart_Snacks.pdf

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHFKA of 2010 (Federal Register, Vol. 81, No. 146, July 29, 2016):

<https://www.fns.usda.gov/school-meals/fr-072916d>

Questions and Answers on Smart Snacks (USDA):

<https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/SmartSnacksQA.pdf>

Smart Snacks Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Smart-Snacks-Nutrition-Standards>

Summary of Smart Snacks Nutrition Standards (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary_Smart_Snacks_Nutrition_Standards.pdf

Glossary

This section includes definitions for terms that apply to the federal and state requirements for competitive foods in non-HFC public schools. Some terms apply only to Connecticut's statutes and regulations or have a different definition from the USDA's Smart Snacks. These terms are identified by "*applies to state statutes and competitive foods regulations*" or "*applies to Smart Snacks*" in parentheses after the term. All other definitions apply to both federal and state requirements.



a la carte sales: Foods and beverages that are sold separately from reimbursable meals and ASP snacks served through the CNPs. For more information, refer to “competitive foods” in this section.

accompaniments (*applies to Smart Snacks*): Foods that accompany another food or beverage item, such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise and salad dressing. Foods must be evaluated for compliance with the Smart Snacks nutrition standards based on the amount of the food item as served, including any added accompaniments. Examples include hamburger with ketchup and mustard, bagel with cream cheese, waffles with syrup, whole grain-rich pasta with butter, salad with dressing, and fruit crisp with whipped cream.

added sugars: Sugars and syrups added to foods in processing or preparation, as opposed to the naturally occurring sugars found in foods like fruits, vegetables, grains, and dairy products. Examples of added sugars include brown sugar, corn sweetener, corn syrup, dextrose, fructose, fruit juice concentrates, glucose, high-fructose corn syrup, honey, invert sugar, lactose, malt syrup, maltose, molasses, raw sugar, sucrose, sugar, and syrup.

Afterschool Snack Program (ASP): The USDA's federally assisted snack program implemented through the National School Lunch Program (NSLP). The ASP provides cash reimbursement to help schools serve snacks to children in afterschool activities aimed at promoting the health and well-being of children and youth. Schools must provide children with regularly scheduled activities in an organized, structured and supervised environment that includes educational or enrichment activities, e.g., mentoring/tutoring programs. Programs must meet state or local licensing requirements and health and safety standards. For more information, visit the CSDE's [Afterschool Snack Program](#) webpage.

At-risk Afterschool Meals: The USDA’s federally assisted meal program implemented through the Child and Adult Care Food Program (CACFP) that provides snacks and meals at no charge for students ages 18 and younger in at-risk afterschool programs. Eligible facilities include public and private schools, nonresidential child care centers, and outside school-hours care centers. To participate, sponsors must have a structured, supervised afterschool enrichment program. Cash assistance is available for up to one snack and one meal per day for each student. All snacks and meals must meet the requirements of the CACFP meal patterns for children. For more information, visit the CSDE’s [CACFP At-risk Afterschool Care Centers](#) webpage.

artificial sweeteners: Ingredients without calories that are used as sugar substitutes to sweeten foods and beverages. Artificial sweeteners are hundreds of times sweeter than sugar. Common artificial sweeteners include acesulfame potassium (Acesulfame-K, Sunett, Sweet & Safe, Sweet One), aspartame (Nutrasweet, Equal), neotame, saccharin (Sweet and Low, Sweet Twin, Sweet ‘N Low Brown, Necta Sweet), sucralose (Splenda), and tagatose. These nonnutritive sweeteners are calorie-free, except for aspartame, which is very low in calories. For more information, refer to “nonnutritive sweeteners” in this section.

candy: All types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.

Child Nutrition Programs (CNPs): The USDA’s federally funded programs that provide nutritious meals and snacks to children, including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), Summer Food Service Program (SFSP), Fresh Fruit and Vegetable Program (FFVP), Child and Adult Care Food Program (CACFP), and CACFP At-risk Afterschool Meals operated in schools. The CACFP also provides nutritious meals and snacks to the frail elderly in adult day care centers. For more information, visit the CSDE’s [Child Nutrition Programs](#) webpage.

competitive foods (*applies to Smart Snacks*): All foods and beverages available for sale to students on school premises during the school day, other than reimbursable meals and ASP snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, refer to “a la carte sales” in this section.

competitive foods (*applies to state statutes and competitive foods regulations*): All foods and beverages available for sale to students on school premises at all times, other than reimbursable meals and ASP snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, refer to “a la carte sales” in this section.

Note: Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

compliant foods and beverages: Foods that comply with the Smart Snacks nutrition standards and beverages that comply with the Smart Snacks nutrition standards and the state beverage statute.

Connecticut Nutrition Standards: State nutrition standards developed by the Connecticut State Department of Education, as required by [Section 10-215e](#) of the Connecticut General Statutes. The CNS addresses the nutritional content of all foods available for sale to students separately from reimbursable school meals. The standards limit calories, fat, saturated fat, sodium, and added sugars; eliminate trans fat; and promote more nutrient-rich foods such as fresh fruits, vegetables, whole grains, low-fat dairy, legumes, and lean meats. All schools in any district that chooses to comply with the healthy food option of HFC under Section 10-215f of the Connecticut General Statutes must follow the CNS for all sources of food sales to students, including school cafeterias, vending machines, school stores, fundraisers, and any other sources. The CNS also applies to snacks served in the Afterschool Snack Program. For more information, visit the CSDE’s [Connecticut Nutrition Standards](#) webpage.

creditable foods: Foods and beverages that credit toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the Child Nutrition Programs. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, brown rice, and whole grain-rich crackers, cookies, muffins, and pasta. For information on crediting foods for grades K-12 in the NSLP and SBP, refer to the CSDE’s resource, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE’s [Crediting Foods for Grades K-12 in School Nutrition Programs](#) webpage. For information on crediting foods for grades K-12 in the ASP, refer to the CSDE’s resource, [Afterschool Snack Program Handbook](#), and visit the CSDE’s [ASP](#) webpage. For information on crediting foods for preschoolers, refer to the CSDE’s resource, [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and visit the CSDE’s [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage.

Dietary Guidelines for Americans: A federal document that provides science-based advice for Americans ages 2 and older to promote health and to reduce risk for chronic diseases through diet and physical activity. The *Dietary Guidelines for Americans* is published jointly every five years by the U.S. Department of Health and Human Services and the USDA, and forms the basis of federal food, nutrition education and information programs. For more information, visit the [Dietary Guidelines](#) webpage.

enriched grains: Refined grains (such as wheat, rice, and corn) and grain products (such as cereal, pasta, and bread) that have some vitamins and minerals added to replace the nutrients lost during processing. The five enrichment nutrients are added within limits specified by the Food and Drug Administration (FDA), and include thiamin (B₁), riboflavin (B₂), niacin (B₃), folic acid, and iron. For more information, refer to the CSDE’s resource, [Crediting Enriched Grains in the NSLP and SBP](#).

enrichment: Adding back nutrients (usually vitamins or minerals) originally present in a food that were lost during processing. Enrichment nutrients are added back in approximately the same levels as were originally present in the food. For more information, refer to “enriched grains” in this section.

entrees (*applies to Smart Snacks*): The entrees category of the USDA’s Smart Snacks nutrition standards includes three types of main dish food items: 1) a combination food of meat or meat alternate and whole grain-rich food; 2) a combination food of vegetable or fruit and meat or meat alternate; and 3) a meat or meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds, nut or seed butters, and meat snacks. At breakfast only, the entree definition also includes grain-only items, such as bagels, muffins, and waffles. Schools can determine which grain-only items are defined as entree items for breakfasts offered in the SBP.

event (*applies to state statutes and competitive foods regulations*): An occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. For more information, refer to [table 1-4](#) in section 1.

fortification: Adding nutrients (usually vitamins or minerals) that were not originally present in a food or beverage or adding nutrients at levels that are higher than originally present. Fortification is used for naturally nutrient-rich products based on scientifically documented health needs (e.g., fortifying milk with vitamin D to increase the body’s absorption of calcium), and to enhance the perceived nutritional value of products with little or no natural nutritional value, e.g., fortifying “energy” bars made from processed flour with multiple vitamins and minerals. Fortification nutrients are added to products in varying amounts, from small percentages up to amounts greater than recommended intakes.

fundraisers: Any activities conducted by any school-related or outside organization or group on school premises, during which money or its equivalent (e.g., coupons, tickets, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. Fundraisers also include any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. **Note:** The Smart Snacks nutrition standards apply to purchased coupons and similar items that can be exchanged for foods and beverages. The state statutes and competitive foods regulations apply to all coupons and similar items that can be exchanged for foods and beverages, including tickets that students purchase and tickets given to students free of any charge. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

full-strength fruit or vegetable juice: An undiluted product obtained by extraction from sound fruits and vegetables. Full-strength juice may be fresh, canned, frozen or reconstituted from concentrate and may be served in either liquid or frozen state. The name of the full-strength fruit or vegetable juice as it appears on the label must include the words “juice” or “full-strength juice” or “100 percent juice” or “reconstituted juice” or “juice from concentrate.” For more information, refer to the CSDE’s resources, [Crediting Juice for Grades K-12 in the NSLP and SBP](#) and [Crediting Juice for Preschoolers in the NSLP and SBP](#).

giving (*applies to Smart Snacks*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following four conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages; 3) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 4) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, refer to “[Giving Foods and Beverages to Students](#)” in section 2.

giving (*applies to state statutes and competitive foods regulations*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following five conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages; 3) students are not given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages; 4) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 5) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, refer to “[Giving Foods and Beverages to Students](#)” in section 2.

Healthy Food Certification: A requirement of state statute (Section 10-215f of the Connecticut General Statutes) that each board of education or school governing authority for all public schools participating in the NSLP must certify annually to the CSDE whether they will comply with the Connecticut Nutrition Standards for all foods available for sale to students separately from reimbursable meals. Districts that choose to comply with the CNS receive 10 cents per lunch, based on the total number of reimbursable lunches (paid, free, and reduced) served in the district in the prior school year. For more information, refer to “Connecticut Nutrition Standards” in this section and visit the CSDE’s [Healthy Food Certification](#) webpage.

juice drink: A product resembling juice that contains full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.

meals: Refer to “reimbursable meals” in this section.

meal pattern: The required food components and minimum serving sizes that schools and institutions participating in the USDA Child Nutrition Programs must provide to receive federal reimbursement for meals and snacks served to children. For information on the meal patterns for grades K-12 in the NSLP and SBP, refer to the CSDE’s resource, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE’s [Meal Patterns for Grades K-12 in School Nutrition Programs](#) webpage. For information on the meal patterns for preschoolers in the NSLP and SBP, refer to the CSDE’s resource, [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and visit the CSDE’s [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage. For information on the ASP meal patterns, refer to the CSDE’s resources, [ASP Meal Pattern for Grades K-12](#) and [ASP Meal Pattern for Preschoolers](#).

MyPlate: Released in June 2011, MyPlate is the USDA’s food guidance system to translate the *Dietary Guidelines for Americans* into a healthy eating plan. MyPlate emphasizes consuming more fruits, vegetables, whole grains and low-fat dairy. For more information, visit the MyPlate website at <https://www.myplate.gov/>.

National School Lunch Program (NSLP): The USDA’s federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The NSLP provides nutritionally balanced, low-cost or free lunches to children each school day. It was established under the National School Lunch Act, signed by President Harry Truman in 1946. For more information, visit the CSDE’s [National School Lunch Program](#) webpage.

noncompliant foods and beverages: Foods that do not comply the Smart Snacks nutrition standards and beverages that do not comply with the Smart Snacks nutrition standards and the state beverage statute. For more information, refer to “[Noncompliant Foods and Beverages](#)” in section 2.

noncreditable foods: Foods and beverages that do not credit toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the Child Nutrition Programs. Examples include bottled water, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, gelatin, and pudding. For more information, refer to the CSDE’s resources, [Noncreditable Foods for Grades K-12 in the NSLP and SBP](#), [Noncreditable Foods for Grades K-12 in the ASP](#), and [Noncreditable Foods for Preschoolers in the NSLP and SBP](#).

nonnutritive sweeteners: Ingredients without calories that are used as sugar substitutes to sweeten foods and beverages. Nonnutritive sweeteners can be 200 to 600 times sweeter than sugar. They include artificial sweeteners such as acesulfame-potassium, neotame, saccharin, and sucralose, and “natural” sweeteners such as stevia (e.g., Rebiana, Rebaudioside A, Truvia, PureVia, and SweetLeaf). For a list of artificial sweeteners, see “artificial sweeteners” in this section.

nonprofit food service account: The restricted account in which all of the revenue from all food service operations conducted by the school food authority (SFA) principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-federal funds used to support paid lunches as provided in [7 CFR 210.14\(e\)](#), and proceeds from nonprogram foods as provided in [7 CFR 210.14\(f\)](#).

nonprogram foods: Foods sold in a school at any time or location on the school premises (other than reimbursable meals), purchased using funds from the nonprofit school food service account. Section [7 CFR 210.14 \(f\)](#) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the nonprofit school food service account.

nutrient-dense foods: Foods that provide substantial amounts of naturally occurring vitamins, minerals, and other nutrients with relatively few calories. Nutrient-dense foods include lean sources of protein and/or complex carbohydrates that are low in total fat and saturated fats. Examples include fruits, vegetables, whole grains, low-fat or nonfat dairy products, lean meat, skinless poultry, fish, eggs, and beans. Foods and beverages that are not nutrient dense provide calories from fat, added sugars and processed carbohydrates but relatively small amounts of nutrients (and sometimes none at all), unless they are fortified.

nutrient-rich foods: Refer to “nutrient-dense foods” in this section.

nutrition standards for fluid milk substitutes: The nutrition requirements for nondairy beverages (such as soy milk) used as fluid milk substitutes in the USDA’s Child Nutrition Programs. The USDA requires that any fluid milk substitutes are nutritionally equivalent to cow’s milk and meet the following nutrients based on a serving of 1 cup (8 fluid ounces): 276 milligrams (mg) of calcium; 8 grams (g) of protein; 500 international units (IU) of vitamin A; 100 IU of vitamin D; 24 mg of magnesium; 222 mg of phosphorus; 349 mg of potassium; 0.44 mg of riboflavin; and 1.1 micrograms (mcg) of vitamin B-12. For more information, refer to the CSDE’s resource, [*Milk Substitutes for Children without Disabilities in School Nutrition Programs*](#).

nutritive sweeteners: Sugars and sweeteners that contain calories and are used to sweeten foods and beverages. Examples include brown rice syrup, brown sugar, corn sweetener, corn syrup, corn syrup solids, dextrin, dextrose, fructose, fruit juice concentrate, glucose, high-fructose corn syrup, honey, invert sugar, lactose, malt syrup, maltose, molasses, maple syrup, nectars (e.g., peach nectar, pear nectar), raw sugar, sorghum syrup, sucrose, and syrup.

portion: Refer to “serving size” in this section.

public schools: Connecticut public schools include all local and regional school districts, the regional educational service centers, the Connecticut Technical Education and Career System (CTECS) (previously known as the Connecticut Technical High School System), charter schools, interdistrict magnet schools, and endowed academies.

reimbursable meals: Meals that comply with the requirements of the USDA regulations for Child Nutrition Programs.

reimbursable snacks: Snacks that comply with the requirements of the USDA regulations for the Afterschool Snack Program (ASP).

sales (*applies to state statutes and regulations*): The exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages on school premises at any time. Sales also include fee-based programs and activities that include the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, refer to “[Sales to Students](#)” in section 2.

sales (*applies to Smart Snacks*): The exchange of a determined amount of money for foods and beverages on school premises during the school day. Sales also include the purchase of coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages; fee-based programs and activities that include the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, refer to “[Sales to Students](#)” in section 2.

School Breakfast Program (SBP): The USDA’s federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The SBP provides nutritionally balanced, low-cost or free breakfasts to children each school day. The program was established under the Child Nutrition Act of 1966 to ensure that all children have access to a healthy breakfast at school to promote learning readiness and healthy eating behaviors. For more information, visit the CSDE’s [School Breakfast Program](#) webpage.

school campus (*applies to Smart Snacks*): All areas of the property under the jurisdiction of the school that are accessible to students during the school day.

school day: The period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the school governing authority are part of the regular school day.

school food authority (SFA): The governing body that is responsible for the administration of one or more schools and has the legal authority to operate the USDA’s school nutrition programs, e.g., National School Lunch Program, School Breakfast Program, Afterschool Snack Program of the NSLP, Seamless Summer Option of the NSLP, Special Milk Program, and Fresh Fruit and Vegetable Program.

school premises (*applies to state statutes and competitive foods regulations*): All areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-

technical school system (Connecticut Technical Education and Career System (CTECS)), or the governing authority district or school.

Seamless Summer Option (SSO) of the NSLP: The USDA’s federally assisted summer feeding program that combines features of the NSLP, SBP, and SFSP, and serves meals free of charge to children ages 18 and younger from low-income areas. School districts participating in the NSLP or SBP are eligible to apply to the CSDE to participate in the SSO. SSO meals follow the meal patterns of the NSLP and SBP. For more information, visit the CSDE’s [Seamless Summer Option \(SSO\) of the NSLP](#) webpage.

serving size: The weight, measure or number of pieces or slices of a food, or volume of a beverage, provided to students. All foods and beverages are evaluated for compliance the Smart Snacks nutrition standards and the state beverage statute based on the amount served, including any added accompaniments. For more information, refer to “accompaniments” in this section.

side dishes (*applies to Smart Snacks*): All food items that do not meet the Smart Snacks definition for entrees. Examples include fruits and vegetables; pasta, rice, and cooked cereal grains, e.g., quinoa, bulgur, and bulgur; snack foods such as chips, crackers, popcorn, rice cakes, hard pretzels, pita chips, snack mix, and trail mix; breakfast cereals, e.g., cold ready-to-eat (RTE) cereals and cooked hot cereals such as oatmeal; nuts and seeds; peanut butter and other nut butters; dried meat snacks, e.g., beef jerky and meat sticks; bakery items, e.g., pastries, toaster pastries, muffins, waffles, pancakes, French toast, soft pretzels, rolls, and buns; desserts, e.g., cookies, brownies, cake, pie, and pudding; frozen desserts, e.g., frozen fruit bars, ice cream, and ice cream novelties; cereal bars and granola bars; cheese, e.g., low fat cheese sticks and low-fat cheese cubes; yogurt and soy yogurt; and school-made fruit/vegetable smoothies. For information on the general standards and nutrient standards for each Smart Snacks category, refer to the CSDE’s resources, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE’s [Smart Snacks Nutrition Standards](#) webpage.

Smart Snacks: The USDA’s federal nutrition standards for foods and beverages available for sale to students on school campus during the school day, separately from reimbursable meals and ASP snacks in the USDA Child Nutrition Programs. Smart Snacks includes nutrition standards for entrees sold only a la carte, side dishes, and beverages. The USDA requires the Smart Snacks nutrition standards for all schools and institutions that participate in the NSLP and SBP. These standards were legislated by the final rule, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HFFKA of 2010](#) (81 FR 50131), effective July 1, 2014. For more information, refer to the CSDE’s resources, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE’s [Smart Snacks](#) webpage.

soft drinks (*applies to state statutes and competitive foods regulations*): Beverages (with or without carbonation) that contain water and/or juice and added sweeteners (including nutritive sweeteners and artificial or natural nonnutritive sweeteners), and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie, and zero calorie), sweetened beverages (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks), and flavored water with added sweeteners. For more information, refer to “[State Competitive Foods Regulations](#)” in section 1.

Special Milk Program (SMP): The USDA’s federally assisted program that provides milk to children in schools and child care institutions that do not participate in other federal meal service programs. The SMP reimburses schools for the milk they serve. Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs. For more information, visit the CSDE’s [Special Milk Program](#) webpage.

sugar alcohols (polyols): A type of carbohydrate used as sugar substitutes to sweeten foods and beverages. Sugar alcohols are incompletely absorbed and metabolized by the body, and contribute fewer calories than most sugars. They also perform other functions such as adding bulk and texture to foods. Common sugar alcohols include sorbitol, mannitol, xylitol, maltitol, maltitol syrup, lactitol, erythritol, isomalt, and hydrogenated starch hydrolysates (HSH). Products with sugar alcohols are often labeled “sugar free.” Consuming large amounts of sugar alcohols may cause bloating, gas, or diarrhea. For more information, refer to “nonnutritive sweeteners” in this section.

sugars: Refer to “added sugars” and “simple carbohydrates” in this section.

Summer Food Service Program (SFSP): The USDA’s federally assisted summer feeding program for children ages 18 and younger that provides nutritious meals when schools end for the summer. For more information, visit the CSDE’s [Summer Food Service Program](#) webpage.

sweeteners: Nutritive and nonnutritive ingredients used to sweeten foods and beverages. Nutritive sweeteners provide calories. Nonnutritive sweeteners include artificial sweeteners and “natural” sweeteners that do not provide calories. For more information, refer to “added sugars,” “artificial sweeteners,” and “nonnutritive sweeteners” in this section.

whole foods: Foods that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.

whole fruits and vegetables: Fresh, frozen, canned, and dried fruits and vegetables that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.

whole grains: Grains that consist of the entire kernel, including the starchy endosperm, the fiber-rich bran, and the germ. All grains start out as whole grains, but many are processed to remove the bran and germ, which also removes many of the nutrients. Whole grains are nutrient rich, containing vitamins, minerals, fiber, antioxidants, and health-enhancing phytonutrients such as lignans and flavonoids. Examples of whole grains include whole wheat, whole oats, oatmeal, whole-grain cornmeal, brown rice, whole rye, whole barley, wild rice, buckwheat, and bulgur (cracked wheat). For more information, refer to the CSDE's resource, [*Crediting Whole Grains in the NSLP and SBP*](#).

whole grain-rich (WGR): The WGR definition for grades K-12 in the NSLP, SBP, and SSO is different from the WGR definition for preschool meals and ASP snacks. For grades K-12, WGR products must contain at least 50 percent whole grains, any other grain ingredients must be enriched, and any noncreditable grains must be less than two percent ($\frac{1}{4}$ ounce equivalent) of the product formula. For more information, refer to the CSDE's resource, [*Meeting the Whole Grain-rich Requirement for the NSLP and SBP Meal Patterns for Grades K-12*](#), and the CSDE's guide, [*Menu Planning Guide for School Meals for Grades K-12*](#). For preschool meals in the NSLP, SBP, and SSO and preschool snacks in the ASP, WGR foods contain 100 percent whole grain or contain at least 50 percent whole grains and any other grain ingredients are enriched. For more information, refer to the CSDE's resource, [*Whole Grain-rich Criteria for Preschoolers in the NSLP and SBP*](#), and the CSDE's guide, [*Menu Planning Guide for Preschoolers in the NSLP and SBP*](#).



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